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No. 97

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

SECOND ANNUAL SESSION OF THE

Fourth Legislative Assembly of Wisconsin:

COMMENCED ON MONDAY, DECEMBER 4TH, 1843, AND TERMINATED WEDNESDAY, JANUARY 31ST, 1844;

WITH AN APPENDIX.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES;

SECOND ANNUAL SESSION OF THE FOURTH LEGISLATIVE ASSEMBLY OF THE TERRITORY OF WISCONSIN;

BEGUN and held at Madison, the seat of government, on Monday, the fourth day of December, in the year of our Lord one thousand eight hundred and forty-three; being the day fixed by law for the annual meeting of the said assembly.

On which day, at 12 o'clock, meridian, the House of Representatives was called to order by John Catlin, the chief clerk; and the roll being called, the following named members, who had presented certificates of their election and qualification, answered to their names, and severally took their seats, to wit:

From the county of Brown, and the counties thereto attached—Messrs. Albert G. Ellis, David Agry and Mason C. Darling.

From the counties of Milwaukee and Washington—Messrs. Andrew E. Elmore, Benjamin Hunkins, Thomas H. Olin, Jonathan Parsons, Jared Thompson, and George H. Walker.

From the county of Racine—Messrs. John T. Trowbridge, Levi Grant and Ezra Birchard.

From the counties of Rock and Walworth—Messrs. John M. Capron, William A. Bartlett, John Hopkins and James Tripp.

From the counties of Dane, Dodge, Green, Jefferson and Sauk—Messrs. Robert Masters, Lyman Crossman and Isaac H. Palmer.

From the county of Iowa—Messrs. Moses Meeker and George Messersmith.

From the county of Grant—Messrs. Alonzo Platt and Glendower M. Price.

From the counties of Crawford and St. Croix—Mr. John H. Manahan.

On motion of Mr. Ellis,

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George H. Walker was appointed speaker *pro tempore.*

On motion of Mr. Hunkins,

William H. How was appointed messenger *pro tempore.*

On motion of Mr. Darling,

William Fowler was appointed fireman *pro tempore.*

On motion of Mr. Birchard,

John W. Trowbridge was appointed sergeant-at-arms *pro tempore.*

A message from the council by their secretary:

"Mr. Speaker: I am directed by the council to inform this house that the council have temporarily organized, and are now ready to proceed to business."

On motion of Mr. Agry,

Thomas L. Franks was appointed assistant clerk *pro tempore.*

On motion of Mr. Ellis,

Resolved, That the standing rules of the house of representatives of the last session be adopted for the government of this house at its present session until others are prepared and adopted.

On motion of Mr. Crossman,

Resolved, That the clerk be directed to inform the hon. the council that this house is now organized *pro tempore*, and ready to proceed to business.

A message from the council by their secretary:

"Mr. Speaker: I am directed to inform this house that the council have appointed Messrs. Baker and Rountree a committee on their part, to act in conjunction with a like committee to be appointed by this house, to inform his excellency the governor that the two houses of the legislative assembly of Wisconsin territory, have organized *pro tempore*, and are now ready to receive any communication he may have to make to them."

Messrs. Capron and Hunkins were appointed on the part of the house to act in conjunction with the committee named in the foregoing message from the council.

Mr. Capron, from the joint committee appointed to inform his excellency the governor of the organization of the two houses, &c., reported that the committee had performed the duty assigned them, and that his excellency informed them that he would deliver his message to the two houses, in person, at half-past 2 o'clock this afternoon.

A message from the council by their secretary:

"Mr. Speaker: The council have passed resolutions of the following title, in which the concurrence of this house is asked, to wit:

'Joint resolutions relative to the death of the hon. Lewis F. Linn, late United States senator from the state of Missouri.'"

On motion of Mr. Meeker,

Resolved, That Sheldon & Hyer be appointed to do the incidental printing for the house until otherwise directed.

On motion of Mr. Agry,

Ordered, that the sergeant-at-arms be directed to prepare seats in this hall for the reception of the council preparatory to the reception of the governor's message.

On motion of Mr. Meeker,

Ordered, that when this house adjourn, it adjourn until a quarter past 2 o'clock, P. M.

And then the house adjourned.

A QUARTER PAST 2 O'CLOCK, P. M.

On motion of Mr. Crossman,

Ordered, that the clerk be directed to acquaint the council that seats have been prepared in the representatives' hall for their accommodation, preparatory to the delivery of the message of his excellency the governor.

The hon. the council appeared and took seats.

On motion of Mr. White,

Ordered, that a committee of one from each house be appointed to inform his excellency, that the two houses have assembled in convention in the representatives' hall, and are ready to receive his message.

Messrs. White and Darling were appointed the said committee.

His excellency the governor appeared in the representatives' hall, and addressed the two houses, as follows:

Gentlemen of the Council,
and House of Representatives:

We have met for the purpose of determining whether any additional provisions of law are required by the inhabitants of this territory, to secure to them the enjoyment of either their civil or

political rights, or to promote their welfare, which we, exercising only the limited power delegated to the legislative branch of this government by congress, can enact. There are, doubtless, many individual cases in which relief may be granted from the effects of previous erroneous or inadequate legislation; but, in my opinion, the people only, in the exercise of their sovereign power as an independent state, can correct the evils which appear to be incidental to this colonial form of government, in its judicial, legislative and executive departments.

The appropriation by Congress for the fiscal year of 1844, founded upon the estimates of the secretary of the treasury of the amount required to defray the expenses of the assembly, will not, according to the act of congress, allow a session to be held the usual term of seventy-five days. So far as I have learned the opinions or wishes of the people, they are decidedly in favor of shorter sessions than have heretofore been held; for it is generally believed that they have been prolonged without any apparent benefit to the territory. These are my own opinions also; and, therefore, you will allow me to express the hope that your present session may be as short as the public interest will permit.

Your earliest attention, it is presumed, will be given to the subject of the indebtedness of the territory for legislative and other expenses, heretofore incurred. The amount ought to be ascertained, and provision made for its payment. If debts have been created *on the faith of the territory*, the people ought to be informed of their character and extent; but the opportunity should no longer be given to the public creditors to say, that Wisconsin will not pay her debts.

A revision of the statutes, and especially of those establishing the system of taxation, reducing the number and the amount of the taxes, would be more useful, and, in my judgment, more acceptable to the people, than the passage of many new laws.

The complaint continues to be justly made that the country is burthened with numerous laws and heavy taxation. A code of laws with but few provisions, and those plainly drawn and seldom changed, is the best evidence of a good government. But when the laws are uncertain, incongruous and inappropriate, or written with many words and vague sentences, or when they contain numerous and conflicting provisions on the same subject, a weak, ignorant or corrupt judge may destroy the rights of the citizens by

his interpretation and administration of them. And when, in addition, the limitations and restrictions imposed by the acts of congress are wholly disregarded, there can no longer be any security for personal liberty, or, as we have seen, to the right of property; neither have the people any protection against increased taxation or an accumulation of the public debt.

The experience of previous years forbids the hope that such evils can be remedied under the present form of government.—For this reason, and believing as I do that the happiness of the people and the prosperity of the country will be advanced by the adoption of a state government, I respectfully recommend the passage of a law appointing a day for the free inhabitants of this district to vote upon the question whether a permanent government shall be formed according to the articles of compact of 1787.—And I would recommend that a day be selected on which no other election is to be held, that the opinion to be expressed may be, if possible, uninfluenced by the local or political parties by which the elections are usually controlled.

There are now it is admitted by every person acquainted with our settlements, more than sixty thousand inhabitants within the limits of this territory; and within the limits fixed by the ordinance and subsequent acts of congress for the fifth state in the northwestern territory, there is estimated to be over one hundred and twenty thousand.

If there shall be a majority in favor of state government, I propose that a law be passed requiring the governor to make that fact known by proclamation, and authorizing the sheriffs of the several counties within this district thereupon to cause an enumeration of the inhabitants to be made and returned to the legislature at its next session.

The pecuniary and other advantages to be obtained by the people by a change of government, have been heretofore so fully presented by me to the assembly, that I shall not trouble you again with their repetition. As arguments in its favor, they have daily increased in strength and importance; and they remain unanswered.

The ordinance of 1787 grants *to the people* the right to form states within certain districts, and *to congress* the right to admit such states into the union. The constitutions of the states of Tennessee and Michigan were formed under this provision, *the*

right cannot therefore now be questioned. The north-western states were created by the ordinance and by the people, and not by the acts of admission.

The course pursued by the citizens of Tennessee is entitled to great weight, as it was taken soon after the ordinance and the constitution of the United States were adopted; when the language and the intention of the provisions for the formation of new states could not have been misunderstood either by the citizens of Tennessee or the public men of the United States. Washington was then at the head of the government, and it may be useful for us to advert to some facts in the history of that state.

The territory of Tennessee was ceded by North Carolina to the United States in February, 1790. The act of cession provided "that the territory should be laid out into a state or states, containing a suitable extent, the inhabitants of which should enjoy all the privileges, benefits and advantages set forth in the ordinance for the government of the north-western territory." Under this authority congress established a government for the territory of Tennessee for temporary purposes, and extended to her the provisions of the ordinance.

In 1794 her legislature ordered a census of the inhabitants of the entire territory to be taken, a majority of the people having voted in favor of a state government. It appearing by the census that her population amounted to sixty-six thousand two hundred and sixty-two souls [excluding slaves] a convention was called, and in February, 1796, a constitution was formed for the state. All this was done without the interference of congress, or any application to divide the territory or to permit a state government to be formed for the whole.

In April, of the same year, Tennessee, by her senators and representative, (Andrew Jackson having been elected her representative,) presented themselves with a new constitution in their hands, and demanded her admission by themselves, as her delegates, into the congress of the United States, as a sovereign and independent state. Gen. Washington, in his message to congress on the subject, observed, that among the advantages secured to the inhabitants of Tennessee by the ordinance of 1787, was "the right of forming a permanent constitution and state government, and of admission as a state, by its delegates, into the congress of the United States on an equal footing with the original states, in

all respects whatever, when it shall have sixty thousand free inhabitants therein; provided, the constitution and government so formed shall be republican, and in conformity to the principles contained in the ordinance."

In pursuance of this recommendation, Tennessee, with her constitution thus formed, was admitted into the union on the first of June, 1796, within four months after the change of government was commenced.

Michigan adopted the same course as Tennessee, and asserted it as her "right and privilege," under the ordinance and the act of congress of 1805. It was granted to her—although the authority had been reserved to congress (as in the case of Tennessee) to *form one or two states* out of the territory then subject to her territorial government.

I submit a copy of the act passed by the territorial legislature of Michigan on the 26th of December, 1834, to enable the people of that territory to form a constitution and state government. The preamble fully asserts the right; and the act apportions delegates for that part of the territory lying north of a line drawn due east from the southerly extreme of Lake Michigan which had been embraced within the limits of the state of Indiana on her admission in the year 1816.

She was admitted into the union with the constitution she had adopted, by an act of congress passed on the 15th of June, 1836, the second section of which provides "that the constitution and state government which the people of Michigan *have formed for themselves* be, and the same is hereby, *accepted, ratified and confirmed;* and that the said state of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the union upon an equal footing with the original states in all respects whatever."

This section also declares, that "this admission is upon the express condition that the said state shall consist of, and have jurisdiction over, all the territory included within the following boundaries, and none other," &c. By these *new* boundaries thus proposed by congress, the country claimed by Ohio and Indiana is given to those states; and in lieu thereof a district lying between Lake Superior and Lake Michigan, and west of a line drawn north from the northern extremity of Lake Michigan to the line dividing the United States and Canada—which was the line established by the

act of congress of 1805, and by the people of Michigan, in their constitution, as the western boundary of the state was declared to be within the boundaries and jurisdiction of the state of Michigan.

The people inhabiting the portion thus annexed neither participated in the formation of the constitution, nor voted for the change; and it may well be doubted whether congress did not exceed its powers by this act enlarging the boundaries of Michigan, and establishing a state government for these people.

But the act of admission establishes the right of the free inhabitants to form a government for themselves, and to designate the boundaries of the state. In relation to the right of a state *to enter the union with a contested boundary*, there were several instances of unsettled boundaries between the thirteen original states when they joined the union, some of which are yet undetermined, and it is not perceived why a new state has not the privilege to adjust her boundaries or have them settled in the same manner as an old state.

It may be taken for granted, therefore, from the example of those states, as well as that of Michigan, that this state has the right to be admitted, although her boundaries may be contested by other states. A state out of the union has as good a right to her established boundaries as a state in it. The form of government to which she may at any period of her existence be subject neither increases nor diminishes this right. It cannot be conceded that the right to *admit* can control the right to *form* a constitution farther than to require that the "constitution is republican, and in conformity to the principles contained in the articles of compact."

The 12th section of the act to establish the territorial government of Wisconsin declares "that the inhabitants of the territory shall enjoy the rights, privileges, and advantages granted and secured to the people of the territory north-west of the river Ohio, by the articles of compact contained in the ordinance of 1787." It provides that "the said inhabitants shall also be entitled to all the rights, privileges and immunities heretofore granted and secured to the territory of Michigan, and to its inhabitants." The 5th article of compact declares that "whenever *any* of the said states shall have sixty thousand inhabitants therein, such state shall be admitted by its delegates into the congress of the United States on an equal footing with the original states in all respects what-

ever, and shall be at liberty to form a permanent constitution and state government."

The right of the citizens of Wisconsin to form a government for themselves being clearly established by these provisions and by the precedents of Tennessee and Michigan, I respectfully beg leave to submit to your consideration the subject of *the boundaries of the country* whose inhabitants possess the right to vote upon the question of forming a constitution.

The 5th article of compact laid off the north-western territory into *three* states, and bounded them, on the south, by the Ohio river, and on the north by the territorial line between the United States and Canada. It provided, however, "that the boundaries of these three states shall be subject *so far* to be altered, that if congress shall hereafter find it expedient, they shall have power to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly or extreme bend of Lake Michigan.

In the execution of this power, congress has wholly disregarded the limitation placed upon its authority. These boundaries were subject to be altered only for a single object, to wit: to form one or two states north of a certain east and west line. The first part of this article declares "there shall be formed in the said territory not less than three nor more than five states, and the boundaries of *the states*, so soon as Virginia shall alter her act of cession and consent to the same, *shall become fixed and established, as follows*," &c. Virginia gave her consent. The "east and west line drawn through the southerly bend or extreme of Lake Michigan," became therefore *an established boundary line*, equally with the other line therein described, if congress found "it expedient to form" more than *three* states. On the admission of Ohio, the question was determined that there should be more than three states formed; and having now actually admitted *four* into the Union, the remaining "territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan," according to the terms of the ordinance, must compose the *fifth*.

In the year 1818, an act was passed by congress to enable the people of Illinois territory to form a constitution. She had not sixty thousand inhabitants, and therefore applied to congress to

grant her permission, authority having been given to congress to admit a state with a less number.

It is conceded in this act, that congress and the people of Illinois undertook to make an alteration of her boundaries not contemplated by the ordinance, when they gave to that state the line of latitude of forty-two degrees and thirty minutes for her northern boundary instead of the west line from the extremity of the lake. In the 2d section of that act a description of the boundary as now claimed by Illinois is followed by this provision: "That the convention, when formed, *shall ratify* the boundaries aforesaid; *otherwise they shall be and remain as now prescribed by the ordinance* for the government of the territory north-west of the river Ohio." And in the 4th section there is also a proviso, that the constitution, "whenever formed, shall be republican, and not repugnant to the ordinance of the 13th of July, 1787, &c., excepting so much of said articles as relate to the states therein to be formed,"—which is clearly an admission that the alteration of the boundaries was repugnant to the ordinance.

Was this the alteration which congress was authorized to make? If it was, why did she ask Illinois to ratify her act? The article of compact may undoubtedly be changed "by common consent, and it is true that congress and Illinois have given their consent to the alteration; but the fifth state, whose rights are the same upon this question as those of Illinois, has not consented, and could not consent to any change of those articles until she has obtained her sovereignty and independence.

These views, it gives me pleasure to assure you, are sustained by the resolutions of the legislature of this territory. I avail myself of this occasion to quote the following sentences from the preamble to the "resolutions relating to the southern boundary and the admission of Wisconsin into the union as a state;" which were approved by Governor Dodge on the 13th of January, 1840.

"Whereas, the southern boundary of this territory, and of the state to be formed therein, is fixed and established by the ordinance of July 13th, 1787, on a line running due west from the southerly bend or extreme of Lake Michigan to the Mississippi river.

"And whereas, although said ordinance is declared to be forever unalterable, unless by common consent, a large and valuable tract of country is now held by the state of Illinois, contrary to

the manifest right and consent of the people of this territory," &c.

The resolutions following this preamble requests that on a certain day the inhabitants of the territory do vote for or against the formation of a state government, including all that district of country north of the line above mentioned; and invite the inhabitants in that part of the district claimed by Illinois to express their sentiments in relation to its formation, and, in the event of an election being ordered by the governor, to choose delegates to the state convention.

The committee to whom this subject had been referred, in their report say, that "it has been declared as the opinion of a former legislative assembly of this territory, 'that all that district of country lying between the northern boundary line of the state of Illinois, and a line drawn west from the southern extreme of Lake Michigan to the Mississippi river, rightfully belongs to the territory of Wisconsin.' This opinion, with the arguments and reasons in supoort of it, have been spread before congress.

"To recede now from the grounds at that time taken, or to relinquish in any manner the just rights of the territory to the jurisdiction of that district, in the opinion of your committee, would be to disappoint the hopes and defeat the most cherished desires and wishes of both the inhabitants of that district, and the people of the territory."

Concurring, as I do, in the opinion thus expressed at former sessions of the legislature, and which I presume are still entertained by those gentlemen who were then members, it will be only necessary for me to advert at this time to some of the authorities upon which my opinions are founded.

I observe that "an east and west line drawn through the southerly bend or extreme of Lake Michigan," is described or adverted to, as a boundary, by the government of the United States in several instances:

1st. In the 5th article of compact, in the ordinance of 1787.

2d. The act of congress of April 30, 1802, to enable the people Ohio to form a state government.

3d. The act of congress of January 11, 1805, to provide a temporary government for Michigan.

4th. An act to authorize the President of the United States to ascertain and designate certain boundaries, passed May 20, 1812; which requires a survey of the boundary which divides "the state

of Ohio from the territory of Michigan;" and "a plat to be made of *so much* of the line as runs from the southerly extreme of Lake Michigan." The war of 1812 prevented the execution of this act; but on the 18th of April, 1816, an appropriation was made for carrying it into effect; and the line was run, in conformity with the various acts of congress, due east from the southern extreme of Lake Michigan. It was not until the year 1818 that the work was completed, and the returns made to congress.

5th. The act to enable the people of Indiana to form a state government, passed April 19th, 1816; the provisions of which require the people to ratify the alteration of the ordinance line.

6th. The treaty between the United States and the Ottawas, Chippewas, and Potowatamies, concluded August 24, 1816. Under treaty this line was run and marked in the year 1818 by John Sullivan; and the monument, erected at its termination on the bank of the Mississippi, near the head of Rock Island, was standing but a few years ago.

7th. An act to provide for the taking of certain observations preparatory to the adjustment of the northern boundary line of the state of Ohio, passed July 14, 1832. The President is required to ascertain, by observations, "the point in the Mississippi which is due west from the southerly extreme of Lake Michigan."

8th. The official report of Capt. Talcott, of the United States Engineers, dated January 17, 1834. He states that from his observations, the southern bend of Lake Michigan is in latitude forty-one degrees and thirty-seven minutes. And that a due west line from this point will intersect the Mississippi river about seven miles north of the fort on Rock Island. He erected monuments to mark each of these stations.

I unite with the assembly, therefore, in claiming, for the southern boundary of this state, a line drawn due west from the southerly bend or extreme of Lake Michigan to the Mississippi river, because it was "fixed and established" by the ordinance of 1787, in an article which it is declared "shall forever remain unalterable, unless by common consent," and because the people of this state have never given their consent to the alteration attempted to be made by congress and the people of the territory of Illinois.

Whether the inhabitants of the district of country which was placed by congress under the jurisdiction of Michigan, and which

lies west of a line drawn from the northern extremity of Lake Michigan, have not the right to vote with us for or against the formation of a state government, is a question of great importance, and to which I invite your attention. Michigan asserted her claim to this line as her true boundary on several occasions; particularly when she opposed the passage by congress of the act to establish the territorial government of Huron, and when she defined her own limits as a state in the act under which she formed her constitution. Her own arguments and concessions are considered very conclusive upon this point.

This subject was presented to the assembly in my message of February 16, 1842, with the act passed by her legislature on the 26th of January, 1836. In that message I remarked: "It is ascertained that a part of the western boundary of the state of Michigan, as prescribed by the act of congress of the 15th of June, 1836, is an impracticable line, there being no such natural boundary as is therein described. The Lake of the Desert, ["old plantation lake,"] does not discharge its waters into the Montreal river. It having therefore become necessary to designate a new line, I avail myself of the occasion to present the subject to the notice of the assembly, that such measures as are proper may be adopted, to procure the recognition by the government of the United States of the boundary which was established between Michigan and Wisconsin in the year 1805."

In the year 1828, a bill was reported in the house of representatives of the United States to establish the territorial government of Huron. The territory was bounded on the south by the states of Illinois and Missouri, and eastwardly by a line drawn through Lake Michigan and the straits of Mackinac to the southern extremity of Bois Blanc Island in Lake Huron, and thence due east across that lake to the boundary of the United States. The same bill was again reported (it having failed to pass both houses of congress) in 1829, 1830, and 1832. A report was made by the committee, with the bill, in the latter year, from which I make the following extract:

"This committee are of opinion that the limits of the territory of Michigan, as originally separated from the then Indiana territory, ought, upon every fair and just principle, to be preserved to its present population, so as to enable them to emerge, as early as possible, into the condition of an independent state of the union.

The committee therefore recommend that, in a severance of the present territory of Michigan, the eldest and the most populous portion should be left under its original limits, and that the integrity of its bounds should be preserved by a line drawn through the lake to its northern extremity, and thence by a line drawn due north to the northern boundary of the United States; and with this division and seperation of the new territory from every point of Lake Huron, they also propose the adoption for it of the name of WISCONSIN instead of that of Huron, as heretofore contemplated."

Governor Cass, in a message to the council on the 5th of January, 1831, had presented the consideration of this measure in the following language:

"An effort has been made to detach the counties of Michilimackinac and Chippewa from the peninsular territory, and to annex them to the new government, which is asked for west of Lake Michigan. Such a measure would be equally injurious to our rights, and subversive of our interests. The act of congress of January 11, 1805, establishing this territory, defined its boundaries, and guaranteed to the inhabitants then living, or who might thereafter live, within them, many political rights dear to the American people, and without the enjoyment of which, our citizens would never encounter the difficulties and hardships incident to the settlement of a new country. Among these, not the least important, is the right of admission into the union, when our population shall equal the number prescribed in the ordinance of congress of July 13, 1787, which laid the foundation of the governments of the states and territories north-west of the Ohio river. If we have any security for the political privileges we enjoy or expect to enjoy, we have the same security, and that is, the faith of the United States, for the integrity of the territorial boundaries established by that act. A line drawn through the middle of Lake Michigan to its northern extreme, and thence due north to Lake Superior, which is our western boundary, leaves the inhabited portions of the counties of Mackinaw and Chippewa in the original territory of Michigan. To the country west of that line we have no claim."

The same view was taken of this question, and the right of Michigan to this north and south line again asserted in a memorial of the legislative council to congress which was adopted with but

one dissenting vote, [and that was given by the member from this district,] on the 7th of January, 1833.

It is deemed unnecessary to pursue this subject farther. It will receive from you, there can be no doubt, a careful examination and consideration, equally with those which duty has compelled me to suggest. I believe you will concur with me in the opinion that it was not the intention of the patriots who framed the ordinance, that this territory should, at any period of its political existence, be parcelled out among the neighboring states; nor that a true hearted American will ever refuse to claim his birthright, or to secure for himself and his posterity the enjoyment of constitutional liberty.

J. D. DOTY.

Madison, Wisconsin, December 4, 1343.

Documents accompanying the Governor's Message.

DOCUMENT NO. 1.

Copy of the act passed by the Legislative Council of the Territory of Michigan, Dec. 26, 1834, to enable the people of Michigan to form a state government.

AN ACT to enable the people of Michigan to form a constitution and state government.

Whereas, it is ordained and declared, in and by the ordinance for the government of the territory of the United States northwest of the river Ohio, passed by congress on the 13th day of July, 1787, that certain articles therein contained "shall be considered as articles of compact between the original states and the people and states in the said territory, and forever remain unalterable unless by common consent;"

And whereas it is stipulated in and by the 5th of the said articles of compact, that there shall be formed in the said territory not less than three nor more than five states; and that "the boundaries of the three states shall be subject so far to be altered, that if

congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan;"

And whereas it is stipulated in the said article that the said three states shall be bounded on the north either by the territorial line between the United States and Canada, or the said east and west line;

And whereas congress has not admitted the said three states into the union according to the boundaries mentioned in the said article;

And whereas it is provided in and by an act of congress, entitled "an act to divide the Indiana territory into two separate governments," approved January 11, 1805, as follows, to wit:

"SEC. 1. That all that part of the Indiana territory which lies north of a line drawn east from the southerly bend or extreme of Lake Michigan, until it shall intersect Lake Erie, and east of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, shall, for the purposes of temporary government, constitute a separate territory, and be called Michigan.

"SEC. 2. The inhabitants thereof shall be entitled to, and enjoy, all and singular, the rights, privileges, and advantages granted and secured to the people of the territory of the United States north-west of the river Ohio, by the said ordinance."

And whereas it was the right and privilege of sixty thousand free inhabitants within the limits of Indiana, according to the said ordinance, to form for themselves a permanent constitution and state government;

And whereas the same right and privilege is granted by the act aforesaid to the people of Michigan, whenever there shall be sixty thousand free inhabitants within the limits mentioned in the said act;

And whereas it is ascertained, under the authority of an act of the legislative council, passed on the 6th day of September, 1834, that there now are eighty-seven thousand two hundred and seventy-three free inhabitants within the limits prescribed for Michigan by the act aforesaid; Therefore, for the purpose of enabling the free inhabitants of the said territory to secure to themselves

the rights and privileges guaranteed to them by the said ordinance and acts of Congress:

SEC. 1. *Be it enacted by the Legislative Council of the territory of Michigan*, that the said free inhabitants of the territory of Michigan, as the said territory was established by the act of congress, entitled, "an act to divide the Indiana territory into two separate governments," approved January 11, 1805, that is to say, of all that territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan, east of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, and west and south of the said boundary of the United States, be, and they are hereby authorized to assemble to choose delegates in the manner and at the time and place hereinafter mentioned, to form for themselves a constitution and state government, upon the principles, and according to the provisions, contained in the ordinance for the government of the territory of the United States north-west of the river Ohio," adopted in congress the 13th day of July, 1787.

SEC. 2. That the free white male inhabitants of the said territory, above the age of twenty-one years, who shall reside therein three months immediately preceding Saturday the fourth day of April next, in the year one thousand eight hundred and thirty-five, be, and they are hereby, authorized to choose delegates to form a convention, who shall be elected in the several districts as follows, to wit: the county of Wayne shall form the first election district, and shall be entitled to elect seventeen delegates to the said convention; the county of Monroe shall form the second district, and shall be entitled to elect nine delegates; the county of Lenawee shall form the third district, and shall be entitled to elect eight delegates; the county of Washtenaw, and the country attached thereto for judicial purposes shall form the fourth district, and shall be entitled to elect fifteen delegates; the county of Oakland and the country attached thereto for judicial purposes, shall form the fifth district, and shall be entitled to elect fourteen delegates; the county of Macomb shall form the sixth district, and shall be entitled to elect six delegates; the county of St. Clair shall form the seventh district, and shall be entitled to elect two delegates; the county of Jackson shall form the eighth

district, and shall be entitled to elect two delegates; the counties of Hillsdale and Branch, and all that part of the territory lying south of the county of Branch, shall form the ninth district, and be entitled to elect one delegate; the county of Calhoun shall form the tenth district, and shall be entitled to elect two delegates; the county of Kalamazoo, and the country attached thereto for judicial purposes, shall form the eleventh district, and shall be entitled to elect three delegates; the county of Cass, and all that part of the territory lying south of the said county, shall form the twelfth district, and be entitled to elect three delegates; the county of St. Joseph, and all that part of the territory lying south thereof, shall form the thirteenth district, and be entitled to elect three delegates; the county of Berrien, and all that part of the territory situated south and south-west thereof, shall form the fourteenth district and be entitled to elect two delegates; the county of Michilimackinac shall form the fifteenth district, and shall be entitled to elect one delegate; and the county of Chippewa shall form the sixteenth district, and be entitled to elect one delegate. The aforesaid delegates shall be citizens of the United States of at least the age of twenty-one years.

Sec. 3. The election for the said delegates shall be holden on Saturday, the fourth day of April next, in the several townships within the said several election districts, and shall be in every respect held and conducted in the same manner and under the same regulations, and the result certified, transmitted and declared in the same manner, as near as may be, agreeably to the provisions of an act entitled "an act to provide for the election of a delegate in the congress of the United States," approved April 12th, 1827, and whenever any person shall present his vote or ballot at such election for delegates, if he shall be challenged by either of the inspectors, or by any elector, said inspectors shall cause to be read to such person so much of the second section of this act as relates to the qualifications of voters, and shall then tender and administer to him the following oath: "I, A. B., do solemnly swear, [or affirm,] that I am duly qualified to vote at this election according to law;" and thereupon the said inspectors shall receive the vote of the person so taking the oath or affirmation as aforesaid; and in case such person shall refuse to take such oath or affirmation, he shall not be permitted to vote at such election.

Sec. 4. That it shall not be lawful for any officer or minister

of justice to serve any civil process on any person entitled to vote at said election on the day preceding the said election, on the day of election, nor on the day immediately succeeding the same.

SEC. 5. The delegates elected as aforesaid, shall meet at the capitol, in the city of Detroit, on the second Monday of May next; and they, or a majority of them, are authorized to adjourn the said convention to any other place within the said territory for the transaction of business.

MORGAN L. MARTIN,
President of the Legislative Council.

Approved December 26, 1834.

STEVENS T. MASON.

DOCUMENT NO. 2.

Journals of the Council 1839—'40, *page* 250.

The committee on territorial affairs to whom was referred so much of the governor's message as relates to the admission of Wisconsin as a state into the union, have attended to that duty, and ask leave to make the following

REPORT:

The subject of the formation of a constitution and state government in the territory of Wisconsin, in order to an early admission into the union on a footing of equality with the other states, is one of deep interest to all her citizens.

It is a laudable ambition in the people of Wisconsin to aspire early at a state of independency, when they may take a rank among the states of this union, and participate on a footing of equality with the other states in the enactment of all laws by which they are to be governed. But your committee are of opinion that it is inexpedient to go into a state government at any time without the union and co-operation of all who rightfully belong to us.

It has been declared as the opinion of a former legislative assembly of this territory, "that all that district of country lying be-

tween the northern boundary line of the state of Illinois and a line drawn west from the southern extreme of Lake Michigan to the Mississippi river rightfully belongs to the territory of Wisconsin." This opinion, with the arguments and reasons in support of it, have been spread before congress.

To recede now from the grounds at that time taken, or to relinquish in any manner the just rights of the territory to the jurisdiction of that district, in the opinion of your committee, would be to disappoint the hopes and defeat the most cherished desires and wishes of both the inhabitants of that district, and the people of the territory. It is, therefore, the opinion of your committee that it would be impolitic and unwise to take any measure towards forming a constitution and state government within the limits of the territory as prescribed by the existing laws of congress.

In order, therefore, to the attainment of an object which the true interest and the united wishes of all parties seem to demand, your committee submit the following resolutions.

DOCUMENT NO. 3.

Extract from the Journal of the Council, page 87, *Dec.* 31, 1839.

"Mr. Martin, from the select committee to whom had been referred resolutions Nos. 5 and 6, in relation to the southern boundary line of this territory, and the substitute for the latter (reported by a committee of the whole) reported a substitute as follows: No. 7, 'Resolution relative to the southern boundary, and the admission of Wisconsin into the union as a state.'"

The following are the resolutions as they passed and were approved by Gov. Dodge, January 13, 1840:

"*Resolutions relative to the southern boundary, and the admission of Wisconsin into the union as a state.*

Whereas, the southern boundary of this territory, and of the state to be formed therein, is fixed and established by the ordinance of July 13th, 1787, on a line running due west from "the southerly bend or extreme of Lake Michigan" to the Mississippi river;

And whereas, although said ordinance is declared to be unalterable, unless by common consent, a large and valuable tract of country is now held by the state of Illinois, contrary to the manifest right and consent of the people of this territory;

And whereas, it is inexpedient for the people of this territory to form a constitution and state government, or to ask admission into the union as an independent state, until the southern boundary, to which they are justly entitled by said ordinance, shall be fully recognized by the parties of the original compact; therefore,

Resolved, by the council and house of representatives of the territory of Wisconsin, that the inhabitants of this territory qualified to vote for delegate to congress, be requested at the next general election, to be held on the fourth Monday of September, to vote for or against the formation of a state government, including all that district of country north of a line running due west from the most southerly bend or extreme of Lake Michigan to the Mississippi river, over which the state of Illinois exercises jurisdiction; and if a majority of such electors vote in favor of such measure, the governor is hereby authorized to issue his proclamation requiring the electors aforesaid to meet in their respective precincts on such day as he may appoint, and choose delegates from their respective districts, equal to the number of representatives in both branches of the legislative assembly, to assemble at the capitol at Madison, on the third Monday of November, for the purpose of deliberating upon and adopting such lawful and constitutional measures as may seem to be necessary and proper for the early adjustment of the southern boundary and admission into the union of the state of Wisconsin, on an equal footing with the original states, in all respects whatever.

Resolved, That the judges of the several election precincts be required to receive, and the clerks of the boards of county commissioners to canvass, the votes authorized to be taken by the foregoing resolution, and make return thereof to the governor, agreeably to the provisions of an act to provide for and regulate general elections.

Resolved, further, That the inhabitants of the district of country, now claimed by Illinois, lying north of the line running due west from the southern extreme of Lake Michigan to the Mississippi river, be, and are hereby invited to furnish the executive of this territory, as early as may be convenient, and in such manner

as they may deem proper, an expression of their sentiments in relation to the formation of a state government, as contemplated by the foregoing resolution; and in the event of an election being ordered by the proclamation of the governor, for the election of delegates to the convention as above provided for, to choose delegates to the convention aforesaid, proportionate to the ratio of representation in the legislative assembly of this territory, to act on the business of said convention, on an equal footing with the other delegates.

Resolved, further, That two-thirds of all the delegates, authorized by the first resolution, shall constitute a quorum for the transaction of business.

Resolved, That the governor cause to be transmitted one copy each, of the foregoing preamble and resolutions, to such editors of newspapers in the state of Illinois, and in this territory, as he may deem proper, with a request that they publish the same in their respective papers.

After the delivery of the message, his excellency the governor retired from the representatives' hall.

On motion of Mr. Martin,

The convention adjourned;

And thereupon the house was called to order.

On motion of Mr. Darling,

Ordered, that five hundred copies of the governor's message be printed for the use of this house.

On motion of Mr. Meeker,

The message from the council relative to the death of the hon. L. F. Linn was taken up, when the following resolutions were unanimously adopted, to wit:

Resolved, by the council, (if the house of representatives concur,) that the legislative assembly of the territory of Wisconsin have learned with feelings of the greatest regret the death of the hon. Lewis F. Linn, late a senator from the state of Missouri; that by his death his family has been deprived of a most affectionate and amiable head; congress of a true patriot and able statesman; his own state of a most faithful and efficient representative; the whole west of a friend and ever ready advocate of its best interests, and the territory of Wisconsin, in particular, of one who has been on all occasions its resolute and devoted friend, and to

whom it is deeply indebted for his zealous activity in her behalf in the body of which he was a member.

Resolved, That as a testimony of the respect which the legislative assembly of the territory entertains for the memory of hon. Lewis F. Linn, both houses will immediately adjourn.

On motion of Mr. Capron,

The house adjourned until to-morrow at 10 o'clock, A. M.

TUESDAY, December 5, 1843.

Mr. Elmore gave notice that he should, on to-morrow, ask leave to introduce a bill requiring clerks of the boards of supervisors in the several counties of this territory to give bonds for the faithful performance of their duties.

On motion of Mr. Thompson,

The following resolutions were adopted:

Resolved, (if the council concur,) that the standing joint rules of the two houses, of the last session, be adopted for the government of the two houses at their present session, until others are adopted.

Resolved, That the editors and reporters of the different newspapers published in this territory be allowed to occupy seats within the bar of this house.

On motion of Mr. Elmore,

Ordered, that this house do now proceed to the election of speaker, and that two tellers be appointed to canvass the votes.

Messrs. Elmore and Trowbridge were appointed the said tellers.

On motion of Mr. Darling,

A call of the house was made, when twenty-four members answered to their names, (Messrs. Hicks and Long being absent,) and thereupon further proceedings under the call were dispensed with.

The ballots were then taken and counted, when Messrs. Elmore

and Trowbridge, the tellers, reported that twenty-four votes had been given for the said office, of which

George H. Walker received fourteen;
Jas. Tripp " eight;
Glendower M. Price " one;
Benjamin Hunkins " one.

And thereupon Mr. Meeker (being in the chair) declared that the hon. George H. Walker had been duly elected speaker of the house of representatives for the present session.

On motion of Mr. Darling,

Ordered, that a committee of two be appointed to conduct the speaker elect to the chair.

And thereupon Messrs. Darling and Manahan were appointed said committee.

Mr. Walker having been conducted to the chair, returned his thanks to the house for the honor conferred upon him.

On motion of Mr. Hunkins,

Ordered, that the house proceed to the election of chief clerk, and that two tellers be appointed to canvass the votes.

Messrs. Hunkins and Trowbridge were appointed the said tellers.

The votes having been taken and counted, the tellers appointed for that purpose reported that twenty-three votes had been given for the said office; of which

John Catlin received eighteen;
J. G. Knapp, " two;
G. P. Delaplaine, " two;
Blank " one.

And thereupon the speaker declared that John Catlin, having received a majority of all the votes given, had been duly elected chief clerk of the house of representatives for the year ensuing.

On motion of Mr. Darling,

Ordered, that the house now proceed to elect an assistant clerk, a sergeant-at-arms, fireman, and messenger, and that they be voted for on one ballot.

Objection being made by Mr. Platt to the decision of the house;

Mr. Darling moved a reconsideration of the vote by which the house decided to ballot for several officers on the same ballot;

And the question being put, it was decided in the affirmative.

Mr. Darling then, by leave, withdrew the said motion.

A message from the council by their secretary:

"Mr. Speaker: I am directed to inform this house that the council is permanently organized by the choice of the hon. Marshall M. Strong, from the county of Racine, as president, and Ben C. Eastman as secretary for the present session."

On motion of Mr. Darling,

The house proceeded to the election of an assistant clerk.

Mr. Bartlett nominated Horatio S. Winsor for said office.

The votes having been taken and counted, the tellers (Messrs. Hunkins and Trowbridge) reported that twenty-three votes had been given for the said office, of which

Horatio S. Winsor received twenty;

Blank two;

And that one vote had been lost.

Mr. Darling moved, that the said ballot be received;

Which was agreed to.

And thereupon the speaker declared that Horatio S. Winsor had been duly elected assistant clerk.

On motion of Mr. Elmore,

The house proceeded to the election of messenger.

And the votes having been taken and counted, Messrs. Hunkins and Trowbridge, acting as tellers, reported that twenty-three votes had been given for that office, of which

William H. Howe received nineteen;

Henry W. Savage, " two;

Blank " two.

And thereupon the speaker declared that William H. Howe had been duly elected messenger.

On motion of Mr. Meeker,

The house proceeded to the election of sergeant-at-arms.

The votes having been taken and counted, the tellers appointed for that purpose reported that twenty-three votes had been given for the said office, of which

John W. Trowbridge received fifteen;

Nehemiah Locy " seven;

Geo. W. Trowbridge, " one.

John W. Trowbridge, having received a majority of all the votes given, was declared by the speaker to have been duly elected sergeant-at-arms.

On motion of Mr. Grant,

The house proceeded to the election of a fireman.

Mr. Ellis nominated William Fowler for the said office.

And the votes having been taken and counted, the tellers reported that there had been twenty-three votes given for the said office, of which

William Fowler received fourteen;
Nehemiah Locy " five;
Black Hawk " one;
Blank " three.

William Fowler, having received a majority of all the votes given, was declared by the speaker to have been duly elected fireman.

On motion of Mr. Platt,

Messrs. Catlin, Winsor, Trowbridge, Howe and Fowler, the officers elected, appeared at the speaker's desk and were severally sworn faithfully to discharge the duties of the respective offices to which they had been elected.

Mr. Birchard offered the following resolution, to wit:

Resolved, That each member of this house may order for his own use during the present session of the legislative assembly, any number of newspapers not exceeding thirty per week, provided that each paper shall not cost to exceed five cents per copy.

Mr. Manahan offered the following as an amendment to the said resolution, to wit:

Strike out all after the word "Resolved," and insert the following words:

"That be appointed reporter for the house of representatives for the present session, and that he be entitled to draw from the clerk the usual quantity of stationery.

Resolved, That the reporter shall prepare a brief minute of all the proceedings of the house, consisting of the presentation and action on all petitions, remonstrances, and other documents; of all notices given and motions made by members; of all actions of the house and committee of the whole on bills, memorials, and resolutions; and a brief sketch of the debates and remarks of members, which may arise on all questions before the house; of all decisions of the speaker or chairman; and of all other matters and things that the house may order, or that may be of consequence or interest to notice.

Resolved, That the reporter shall furnish the said minutes to the printer of the house, who shall daily furnish to the members the proof or slip of each minutes, and after it has been corrected and approved, the said printer shall issue the same in a newspaper, and supply the house with copies of such paper.

Resolved, That the journal of the house shall be kept in the book of the journal, entered up daily, and after being read and approved by the house, shall be signed by the speaker and clerk.

Resolved, That the printer do not print the daily journal."

On motion of Mr. Platt,

The said resolution and amendment were laid upon the table until to-morrow at eleven o'clock.

Mr. Platt offered the following resolution, which was ordered to lie on the table until to-morrow, to wit:

Resolved, That the printing of the house of representatives be let to the lowest bidder, and that the chief clerk thereof be directed to receive proposals for performing said work until Saturday next, at 12 o'clock meridian.

Mr. Darling offered the following resolution, which was adopted, to wit:

Resolved, That all United States and territorial officers, members and officers of the hon. council, and any other persons who shall be invited by the members of the house, be permitted to take seats within the bar of the house, at pleasure.

Mr. Darling gave notice that on some future day he should ask leave to introduce a bill concerning actions in ejectment.

On motion of Mr. Trowbridge,

The house adjourned.

WEDNESDAY, December 6, 1843.

A message from the council by their secretary, to wit:

"Mr. Speaker: the council have passed a resolution of the following title:

No. 1, 'Joint resolution relative to the employment of fireman,' in which I am directed to ask the concurrence of this house."

Mr. Hunkins offered the following resolution, which was adopted, to wit:

Resolved, That the chief clerk of this house be authorized and required to hire such writing as may be necessary to be done for the house of representatives during the present session, which cannot be done by the said clerk and his assistant, and that an appropriation be made for the same out of the appropriation for the incidental expenses of the legislative assembly.

Mr. Meeker offered the following resolution, which was adopted, to wit:

Resolved, That this house will employ a minister of the gospel to officiate as chaplain during the present session.

Mr. Elmore, pursuant to notice given and by leave, introduced a bill of the following title, to wit:

No. 1, "A bill requiring the clerks of the board of supervisors of the several counties to give bonds, and for other purposes;"

Which was read the first and second time.

Mr. Darling, pursuant to previous notice, and by leave, introduced a bill of the following title, to wit:

No. 2, "A bill concerning the time of commencing actions, and for other purposes,"

Which was read the first and second time.

On motion of Mr. Meeker,

The house proceeded to the election, by ballot, of a chaplain for the house of representatives.

And thereupon, Mr. Meeker nominated the Rev. Jesse L. Bennett.

Messrs. Meeker and Tripp were appointed tellers to canvass the votes.

The votes having been taken and counted, the tellers appointed for that purpose reported that the whole number of votes given were twenty-three, of which

Rev. Jesse L. Bennett received eighteen;
Rev. Mr. Miner " one;
Blank " four.

The speaker thereupon declared that the Rev. Jesse L. Bennett, having received a majority of all the votes, had been duly elected chaplain of the house of representatives.

Mr. Darling gave notice that on some future day he should ask leave to introduce a "memorial to congress asking for an appropriation for the opening of a road from Sheboyagan by the way of Winnebago lake to the Fox river; and also, asking an appropriation for completing that part of the United States military road between Green Bay and Fond du Lac."

On motion of Mr. Elmore,

The house resolved itself into a committee of the whole house for the consideration of bill

No 1, "A bill requiring the clerks of the board of supervisors of the several counties to give bonds, and for other purposes,"

Mr. Ellis in the chair.

And after some time spent therein, the committee rose and by their chairman reported the same back to the house without admendment.

On motion of Mr. Ellis,

Ordered, that the said bill be laid on the table.

On motion of Mr. Platt,

The message from the councill was taken up requesting the concurrence of the house in the following resolution, to wit:

No. 1, "Joint resolution relative to the employment of fireman."

Mr. Price offered the following amendment, to wit:

Strike out all after the word "representatives," and insert the following words:

That Nehemiah Locy be appointed as fireman to the committee rooms, to keep the halls of the capitol clean, and to do such other labor about the capitol as the superintendent of territorial property shall direct; and that he shall be allowed two dollars per day for his services.

And the question being put thereon, it was determined in the affirmative.

Mr. Ellis moved to amend the resolution by striking out the word "two," and inserting the word "three" in lieu thereof.

The speaker decided that the amendment was not in order, inasmuch as it proposed to amend the amendment agreed to by the house.

Mr. Darling then moved a reconsideration of the vote by which the said amendment was adopted:

And the question being put, it was decided in the affirmative.

Mr. Darling then offered the following amendment, which was accepted by Mr. Price as a modification of the amendment offered by him, to wit:

Strike out all in the resolution after the word "representatives," and insert the following, to wit:

"That the superintendent of territorial property be authorized to employ some person to attend to the fires in the governor's and committee rooms, and to keep the halls in order, and to do such other duties as the superintendent shall direct; and that such person shall receive for his services such reasonable compensation as the legislature may allow, to be paid out of any moneys appropriated for contingent expenses, and that the superintendent of territorial property be directed to give such appointment to the county having the largest unrepresented fraction in the distribution of the offices;"

And the question being put on agreeing to the amendment, it passed in the affirmative.

The resolution, as amended, was then adopted.

Mr. Platt moved that the house do now take up and consider the resolution offered by Mr. Birchard, on yesterday, relative to newspapers, and the amendment thereto offered by Mr. Manahan.

And the question being put, it passed in the negative.

Mr. Manahan, who had offered the amendment to the said resolution, having appeared in his seat, the motion of Mr. Platt was renewed by him;

And the question being put, it passed in the affirmative.

The question then recurred on the adoption of the amendment offered by Mr. Manahan, and being put to the house, it was decided in the negative.

Mr. Olin moved to amend the resolution by striking out the word "thirty" and inserting the word "twenty" in lieu thereof;

And the question being put, it passed in the negative;

And the ayes and noes having been called for by Mr. Thompson:

Those who voted in the affirmative, are

Messrs. Bartlett, Hunkins, Manahan, Olin, Thompson and Tripp—6.

Those who voted in the negative, are

Messrs. Agry, Birchard, Capron, Crossman, Darling, Ellis, El-

more, Grant, Hopkins, Masters, Messersmith, Meeker, Palmer Parsons, Platt, Price, Trowbridge and Walker, (spk'r)—18.

The resolution was then adopted.

On motion of Mr. Hunkins,

The house adjourned.

TUESDAY, December 7, 1843.

The speaker laid before the house a communication from the hon. Moses M. Strong, relative to his accounts as late fiscal agent, with accompanying documents;

Which were read by the clerk, and,

On motion of Mr. Ellis,

Were ordered to be laid on the table and be printed.

Mr. Ellis offered the following resolution, which was adopted, to wit:

Resolved, That a committee of three be appointed to revise and report rules for the government of this house, and that said committee act with such committee as may be appointed for that purpose by the hon. the council, on the joint rules of the two houses.

Thereupon were appointed Messrs. Ellis, Tripp and Hopkins such committee under said resolution.

Mr. Darling, pursuant to previous notice, and by leave, introduced a memorial of the following title, viz:

No. 1, "Memorial to congress asking an appropriation for the opening of a road from Sheboyagan, by the way of Winnebago lake, to the Fox river; and also asking an appropriation for completing that part of the United States military road between Green Bay and Fond du Lac;"

Which was read the first and second time.

The speaker announced the appointment of the following standing committees:

On the Judiciary—Messrs. Agry, Manahan, Darling, Capron and Meeker.

On Internal Improvements—Messrs. Hunkins, Birchard, Price, Tripp and Ellis.

On Schools—Messrs. Tripp, Long, Hicks, Trowbridge and Thompson.

On Territorial Affairs—Messrs. Darling, Elmore, Crossman, Parsons and Hunkins.

On the Militia—Messrs. Capron, Platt, Olin, Grant and Hopkins.

On Finance—Messrs. Meeker, Tripp, Bartlett, Manahan and Messersmith.

On Corporations—Messrs. Ellis, Parsons, Meeker, Elmore and Hopkins.

On Elections—Messrs. Masters, Hicks, Palmer, Messersmith and Grant.

On Agriculture and Manufactures—Messrs. Olin, Price, Capron, Palmer and Ellis.

On Mining and Smelting—Messrs. Platt, Messersmith, Hicks, Price and Long.

On Territorial Expenditures, (joint)—Messrs. Manahan, Bartlett, Birchard, Thompson and Platt.

On Legislative Expenditures, (joint)—Messrs. Elmore, Trowbridge, Darling, Crossman and Hopkins.

On Engrossed Bills—Messrs. Crossman, Olin, Parsons, Bartlett and Agry.

On Enrolled Bills, (joint)—Messrs. Long, Masters, Hunkins, Grant and Palmer.

On Roads—Messrs. Trowbridge, Birchard, Masters, Agry and Manahan.

Mr. Platt gave notice that on some future day he should ask leave to introduce bills of the following titles, to wit:

"A bill supplementary to an act to amend an act assessing and collecting county revenue;"

"A bill to provide for the enrollment and organization of the militia of this territory."

Mr. Agry gave notice that on some future day he should ask leave to introduce a bill of the following title:

"A bill to change the boundaries of the town of Green Bay, and of other towns therein named."

On motion of Mr. Darling,

The house resolved itself into the committee of the whole house, having under consideration a bill of the following title, to wit:

No. 2, "A bill concerning the time of commencing actions, and for other purposes;"

Mr. Hunkins in the chair.

After some time spent therein, the committee rose, and by their chairman reported the same to the house without amendment.

On motion of Mr. Platt,

Ordered, that said bill be referred to the committee on the judiciary.

On motion of Mr. Elmore,

The following bill was considered, to wit:

No. 1, "A bill requiring the clerks of the boards of supervisors of the several counties to give bonds, and for other purposes;" and,

On motion of Mr. Platt,

Ordered, that said bill be engrossed for a third reading.

On motion of Mr. Elmore,

So much of the sixteenth rule as prohibits bills from being read the second and third times on the same day was suspended with reference to said bill;

Which was then read the third time, passed, and the title thereof agreed to.

A message from the council by their secretary:

"Mr. Speaker: The council have concurred in the amendment of this house to joint resolution No. 1, (C.) entitled 'Joint resolution relative to the employment of fireman.'"

On motion of Mr. Elmore,

The house resolved itself into committee of the whole house, having under consideration the governor's message;

Mr. Capron in the chair.

Pending the report thereon, the secretary of the council having been announced, the speaker resumed the chair, when the following message was received, to wit:

"Mr. Speaker: The council have passed joint resolution No. 2, (C.) entitled 'Joint resolution in relation to so much of the governor's message as relates to the expediency of forming a state government,' and Messrs. Martin and Crocker were appointed a committee on the part of the council under said resolution.

"The council have appointed Messrs. Newland, Martin and Moses M. Strong to act in conjunction with the committee appointed by this house to revise and report joint rules and orders for the government of the two houses during their present session."

The committee then resumed its session, and after some time spent therein, rose, and by their chairman reported the following resolutions, which were adopted, to wit:

Resolved, That so much of the governor's message as relates to the appropriations by congress to defray the expenses of the legislative assembly be referred to the committee on legislative expenditures, with instructions to inquire into the cause of the decrease of appropriations in amount from former years;

That so much of the governor's message as relates to the indebtedness of the territory be referred to the committee on territorial expenditures;

That the fifth paragraph be referred to the committee on the judiciary;

That so much of the message of his excellency as relates to the revision of the statutes, and particularly those relating to taxation, be referred to the committee on the judiciary.

That so much as relates to state government and the northeastern and southern boundary, be referred to the committee on territorial affairs.

That so much of the message as relates to the right of voting upon the question of state government of the inhabitants of the district of country which is placed by Congress under the jurisdiction of Michigan, and which lies west of a line drawn from the northern extremity of Lake Michigan, be referred to the committee on the judiciary.

Mr. Platt offered the following resolution, to wit:

Resolved, That the clerk of this house be directed to procure from the governor the documents accompanying the message of his excellency, and that one hundred copies of the same be printed.

Mr. Platt moved to amend the resolution by striking out the words "one hundred," and inserting "five hundred;"

Which was disagreed to.

Mr. Darling moved to amend the resolution by striking out all after the word "excellency;"

Which was agreed to.

And then the resolution, as amended, was adopted.

On motion of Mr. Darling.

The house adjourned.

FRIDAY, December 8, 1843.

Mr. Elmore offered the following resolution, which was adopted, to wit:

Resolved, That the committee on legislative expenses be directed to inquire and report, as early as practicable, how long the present session of the assembly can continue, consistent with keeping the expenses within the appropriation by congress of the sum of seventeen thousand two hundred and seventy-five dollars, for the half fiscal year ending 30th of June, 1844.

The speaker laid before the house the following communication, together with the enclosure therein mentioned, which was read and laid on the table, to wit:

"John Catlin, Esq., chief clerk of the house: I have the honor to transmit a copy of the documents accompanying the message on the 4th inst.

Very respectfully,

Your obedient servant,

J. D. DOTY.

Executive Department,
Madison, December 7, 1843.

Mr. Palmer gave notice that on some future day he should ask leave to introduce a bill entitled,

"A bill to authorize the county commissioners to purchase lands and for other purposes."

On motion of Mr. Platt,

The resolution offered by Mr. Platt on the 5th instant, relative to printing, was taken up for consideration.

Mr. Platt moved to amend said resolution by striking out all

after the word "resolved," and inserting in lieu thereof the following words, to wit:

That the printing of the house of representatives be let to the lowest bidder, with good security, and that the chief cerk of the house be directed to receive sealed proposals for performing said work, until Saturday, the 16th day of December, instant, at 12 o'clock, meridian.

Mr. Darling moved to amend the amendment by striking out all after the word "that," and inserting in lieu thereof the following, to wit:

A committee of three be appointed to inquire what course the house shall adopt in relation to the printing of the house for the present session; and also, that of printing the laws, and that they be authorized to report by bill or otherwise.

And the question being put on adopting the amendment to the amendment,

It passed in the affiirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, are

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Manahan, Masters, Meeker, Olin, Parsons, Trowbridge, and Walker, (speaker)—15.

Those who voted in the negative, are

Messrs. Capron, Elmore, Hopkins, Messersmith, Palmer, Platt, Price, and Thompson—8.

The question was then put on adopting the amendment, and

It passed in the affirmative.

The resolution, as amended, was then agreed to.

On motion of Mr. Ellis,

The message from the council was taken up asking the concurrence of this house in the following resolution, to wit:

Resolved, by the council and house of representatives, that so much of the governor's message as relates to the expediency of forming a state government, be referred to a joint committee, consisting of two from the council and three from the house.

And the question being put on agreeing to the resolution,

It passed in the affirmative.

Thereupon, were appointed Messrs. Ellis, Price, and Grant, the committee on the part of the house, under said resolution.

The speaker appointed Messrs. Darling, Platt and Parsons, the

committee under the resolution offered by Mr. Platt relating to printing.

On motion of Mr. Darling,

The house resolved itself into committee of the whole hause, having under consideration a

"Memorial to congress asking an appropriation for the opening of a road from Sheboyagan, by the way of Winnebago lake, to the Fox river; and also asking an appropriation for completing that part of the United States military road between Green Bay and Fond du Lac,"

Mr. Hopkins in the chair.

Pending the report of the committee thereon, the secretary of the council being announced, the speaker resumed the chair, when the following message was received, to wit:

"Mr. Speaker: the council have passed bill

No. 2, (C.) "A bill extending the time for the redemption of certain lands in this territory on the canal grant,"

In which I am directed to ask the concurrence of this house."

The committee then resumed its session, and after some time spent therein, rose, and by their chairman reported the said memorial with an amendment, which was concurred in, and the memorial ordered to be engrossed for a third reading.

Mr. Ellis, from the select committee appointed to revise and report rules for the government of the house during the present session, and from the joint committee appointed to report joint rules and orders for the government of the two houses, reported the following, to wit:

REGULATIONS FOR THE DAILY TRANSACTION OF BUSINESS.

After the reading of the journal, the order of business shall be as follows, to wit:

1st.—Letters, petitions, memorials, remonstrances, and accompanying documents, may be presented and referred.

2d.—Original resolutions may be offered.

3d.—Reports of committees; standing committees having precedence of select committees.

4th.—No more than one hour in each day shall be devoted to the foregoing objects, after which, the speaker shall dispose of the bills, messages, and communications on his table, and then proceed to the orders of the day.

5th.—Bills and resolutions ready for a second reading.

6th.—Bills on their passage.

7th.—Bills or other matter before the house, and unfinished the preceding day.

8th.—These matters being despatched, for expediting business, the general file of bills and other papers are then taken up, agreeably to their first introduction to the house.

STANDING RULES.

I. The house of representatives shall choose by ballot one of their own members to occupy the chair. He shall be styled speaker of the house of representatives. He shall hold his office during one session of the legislative assembly. He shall take the chair at the hour to which the house adjourned, and call the members to order; and if a quorum be present, he shall direct the minutes of the preceding day to be read, and mistakes, if any, corrected. He shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the house. In committee of the whole he shall call some member to the chair, and may debate any question before the committee; but such a substitution shall not extend beyond an adjournment. He shall, unless otherwise directed by the house, appoint all committees. He shall vote on a call of the ayes and noes. In the absence of the speaker, the house shall appoint a speaker pro tem.

II. Any member may make a call of the house, and require absent members to be sent for; but a call of the house cannot be made after the voting has commenced; and the call of the house being ordered, and the absentees noted, the doors shall be closed, and no member permitted to leave the room until the report of the sergeant-at-arms be received and acted upon, or further proceedings in the call dispensed with.

III. All questions shall be put in this form: "You who are of the opinion (as the case may be) say Aye. Those of the contrary opinion say No;" and in doubtful cases any member may call for a division.

IV. When a motion is made and seconded, it shall be stated by the member, or read by the clerk, previous to debate. If any member require it, all motions (except to adjourn, postpone, or commit,) shall be reduced to writing. Any motion may be withdrawn, by consent of the house, before decision or amendment.

V. Every member present, when a question is put, shall vote,

unless the house shall, for a special cause, excuse him; but it shall not be in order for a member to ask to be excused after the house has commenced voting.

VI. A motion to adjourn shall always be in order, and be decided without debate.

VII. Whenever any member is about to speak in debate, or deliver any matter to the house, he shall rise from his seat, and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personality.

VIII. When two or more members happen to rise at once, the speaker shall name the member who is first to speak.

IX. Whilst the speaker is putting any question, or addressing the house, none shall walk out or across the house, nor in such case, or when a member is speaking, shall pass between him and the chair.

X. No member shall speak except in his place, nor more than twice on any question without leave of the house.

XI. When a question is under debate, no motion shall be received, unless to postpone, to lay on the table, to amend, to take the previous question, or commit or adjourn.

XII. The previous question shall be put in these words: "Shall the main question be now put?" and it shall be admitted on the demand of any member, and until decided shall preclude all amendments under debate, of the main question.

XIII. Any member may call for a division of the question, when the same will admit thereof.

XIV. No committee shall absent themselves by reason of their appointment, during the sitting of the house, without special leave, except committees of conference.

XV. Every bill shall be introduced by motion for leave, or by order of the house on the report of a committee. In cases of a general nature, one day's notice at least shall be given, of the motion to bring in a bill.

XVI. Every bill shall receive three several readings previous to its passage: but no bill shall have its second and third readings on the same day, without special order of the house.

XVII. The first reading of the bills shall be for information, and if objections be made to it, the question shall be, "Shall the bill be rejected?" If no objection be made, or the question to

reject be lost, the bill shall go to its second reading without further question.

XVIII. All bills, resolutions, memorials, &c., requiring the approval of the governor, shall, on the second reading, be considered by the house in committee of the whole, before it shall be taken up and considered by the house. The question upon every bill or resolution that requires three readings, previous to being passed, shall be, "Whether it shall be engrossed and read a third time?" And the question upon every bill or resolution of the council that requires three readings, shall be, previous to being passed, "Whether it shall be ordered to a third reading?" No bill or resolution that requires three readings shall be committed or amended until it shall have been twice read.

XIX. Amendments, made in committee of the whole, shall not be read by the speaker on his resuming the chair, unless requested by one or more of the members.

XX. When a question is lost on engrossing a bill for a third reading, on a particular day, it shall not preclude a question to engross it for a third reading on a different day; nor shall any subject be a second time reconsidered without the consent of the house. On the third reading of a bill or resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present.

XXI. When a bill is engrossed, the speaker shall, at the time previously appointed by the house, announce it as ready for the third reading, without question.

XXII. A bill or resolution may be committed at any time previous to its passage; if any amendment be reported upon such commitment, by any other than a committee of the whole, the bill shall again be read a second time and considered as in committee of the whole, and the question for its engrossment and third reading again put.

XXIII. In filling blanks, the largest sum and longest time shall be first put.

XXIV. When the house is equally divided, in such case the question shall be lost.

XXV. When a motion or question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.

XXVI. All acts, addresses, and resolutions shall be signed by the speaker, and all writs, warrants, and subpœnas, issued by order of the house, shall be under his hand and seal, attested by the clerk.

XXVII. Petitions, memorials, and other papers, addressed to the house, shall be presented by any member in his place; a brief statement of the contents thereof shall be made verbally by the member introducing the same, and shall not be debated or decided on the day of their being first read, unless where the house shall direct otherwise; but shall lie on the table, (to be taken up in the order they were read,) or referred, on motion, to a committee.

XXVIII. It shall be in order for the committee on enrolled bills to report at any time.

XXIX. After examination and report, each bill shall be certified by the clerk, and by him transmitted to the council; the day of transmission shall be entered on the journal.

XXX. When a message shall be sent from the governor to the house, it shall be communicated to the chair, by the person by whom it may be sent.

XXXI. No member or officer of the house shall be permitted to read the newspapers within the bar of the house, while the house is in session.

XXXII. The speaker of the house is authorized and required to administer all oaths prescribed by law to the officers of the house.

XXXIII. Every resolution read (by the clerk) by direction of a member shall be considered to be before the house. And the question to adopt or reject may be immediately put on such resolution, unless upon motion of a member the same may be laid on the table.

XXXIV. It shall be competent for any member, when a question is taken, to call for the ayes and noes, which shall be recorded by the clerk if required.

XXXV. No standing rule or order of the house shall be rescinded or changed without one day's notice being given of the motion therefor. Nor shall any rule be suspended except by a vote of at least two-thirds of the members present. Nor shall the order of business, as established by the rules of the house, be postponed or changed, except by a vote of at least two-thirds of the members present.

XXXVI. All bills brought into the house by any member or committee, shall be endorsed by the member or committee bringing in the same.

XXXVII. When a member be called to order, he shall sit down until the speaker shall have determined whether he is in order or not, and every question of order shall be decided by the speaker, subject to an appeal to the house by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the speaker and house may be better enabled to judge.

XXXVIII. The standing committees of the house shall consist of five members each, and be as follows:

On the Judiciary;
On Internal Improvement;
On Schools;
On Territorial Affairs;
On the Militia;
On the Finances of the Territory;
On Corporations;
On Elections;
On Agriculture and Manufactures;
On Mining and Smelting;
On Territorial Expenditures;
On Legislative Expenditures;
On Engrossed Bills;
On Enrolled Bills;
On Roads.

XXXIX. All appropriations of money for any purpose shal be made by bill, the last two readings of which shall be at length and a suspension of this rule shall not be made without the unanimous consent of the house.

XL. The stated time of the meeting of the house, each day, shall be 10 o'clock, A. M.

JOINT RULES AND ORDERS OF THE TWO HOUSES.

1st. In all cases of disagreement between the two houses, if either house shall request a conference and appoint a committee for that purpose, the other house shall appoint a similar committee, and such committee shall, at a convenient hour to be agreed upon by their chairman, meet in the conference chamber, and

state to each other verbally, or in writing, as either shall choose, the reasons of their respective houses for or against the disagreement, and confer freely thereon.

2d. When a message shall be sent from the council to the house of representatives, it shall be announced at the door of the house by the door-keeper and shall be respectfully communicated to the chair by the person by whom it may be sent.

3d. The same ceremony shall be observed when a message shall be sent from the house of representatives to the council.

4th. Messages shall be sent by such persons as a sense of propriety in each house may determine to be proper.

5th. After a bill shall have passed both houses, it shall be duly enrolled by one of the transcribing clerks, under the direction of the secretary of the council, or chief clerk of the house of representatives, as the bill may have originated in one or the other house, before it shall be presented to the governor for his approval.

6th. When a bill is duly enrolled, it shall be examined by a joint committee of two from each house, appointed for that purpose, who shall carefully compare the enrolled with the engrossed bill, as passed in the two houses, and correcting any errors that may be discovered in the enrolled bill, and make their report forthwith to the respective houses.

7th. After examination and report, each bill shall be signed in the respective houses, first by the speaker of the house of representatives, then by the president of the council.

8th. After a bill shall have been thus signed in each house, it shall be presented by the said committee to the governor for his approval, it being first endorsed on the back of the roll, certifying in which house the same originated, which endorsement shall be signed by the chief clerk of the house or the secretary of the council, as the bill may have originated in the one or the other house, and the said committee shall report the day of presentation to the governor, which shall be entered on the journal of each house.

9th. All orders, resolutions, and votes which are to be presented to the governor for his approval, shall also in the same manner be previously enrolled, examined and signed, and then be presented in the same manner, and by the same committee, as is provided in the case of bills.

10th. When a bill or resolution which shall have passed in

one house, is rejected in the other, notice thereof is to be given to the house in which the same may have passed.

11th. When a bill or resolution which has been passed in one house is rejected in the other, it shall not be again brought in during the same session without a notice of five days, and leave of two-thirds of the house in which it shall be renewed.

12th. Each house shall transmit to the other all papers on which any bill or resolution shall be founded.

13th. After each house shall have adhered to their disagreement, a bill or resolution is lost.

14th. Whenever any report of a joint committee, or other document, shall be presented to both houses of the legislative assembly, the house first acting on the same, if it shall be thought necessary to have it printed, shall order a sufficient number of copies for both branches, and shall immediately inform the other house of its action upon the subject.

15th. Neither house shall adjourn during any session thereof, without the consent of the other, for a longer period than three days.

16th. The committee of each house on territorial expenditures, on enrolled bills, on legislative expenses, shall act jointly.

17th. When a bill, resolution, or memorial, shall have passed either house, which requires the concurrence of the other, it shall be transmitted to said house without the necessity of entering an order on the journal of the house in which it passed requesting the concurrence of the other house.

And pending the question on agreeing to the said report,

Mr. Ellis moved to amend the 18th standing rule of the house, by adding to it the words "and printed,"

Which was agreed to.

The said report was then adopted.

A message from the council by their recretary:

"Mr. speaker: The council have passed resolution

No. 4, (C.) "Joint resolution in relation to cancelling all auditor's warrants, &c. which are now redeemed and in the possession of the treasurer,"

And Messrs. Crocker and Rountree have been appointed a committee on the part of the council under said resolution."

Mr. Ellis moved that one hundred copies of the rules and standing committees be printed.

Mr. Thompson moved to amend said motion by striking out the words "one hundred," and inserting in lieu thereof the word "fifty;"

Which was disagreed to.

Mr. Platt moved to amend said motion by striking out the words "one hundred," and inserting in lieu thereof the word "sixty;"

Which was disagreed to.

Mr. Thompson moved to amend said motion by striking out the words "one hundred," and inserting in lieu thereof the word "eighty;"

Which was disagreed to.

The question then recurred on agreeing to the motion of Mr. Ellis,

And being put to the house,

It was determined in the affirmative.

On motion of Mr. Capron,

The house adjourned.

SATURDAY, December 9, 1843.

Mr. Grant presented a petition from William Bullen and others, relative to changing the time of the annual meeting of the board of supervisors, which was read, and,

On motion of Mr. Grant,

Ordered to be referred to the committee on corporations.

Mr. Hopkins presented a petition from Walter Tait and others, inhabitants of the town of Centre, relative to tax difficulties growing out of the division of towns, &c. last session; which,

On motion of Mr. Hopkins,

Was ordered to be referred to the committee on the judiciary, without reading.

Mr. Grant presented a petition from Shubal R. Lewis and oth-

ers, inhabitants of Racine county, praying for the formation of a new town from Burlington and Salem, which,

On the reading being dispensed with, was,

On motion of Mr. Grant,

Ordered to be referred to the committee on corporations.

Mr. Darling, from the committee on territorial affairs, made the following report, which was accepted, to wit:

The committee on territorial affairs, to whom was referred that part of the governor's message which relates to state government, report the following resolution:

Resolved, That the committee on territorial affairs be discharged from the further consideration of that part of the governor's message which relates to the subject of state government; the same having been referred to a joint select committee.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed,

No. 1, "Memorial to congress asking an appropriation for the opening of a road from Sheboyagan, by the way of Winnebago lake, to the Fox river; and also asking an appropriation for completing that part of the United States military road between Green Bay and Fond du Lac."

Messages from the council were then taken up, when the undermentioned bill was read the first and second time, to wit:

No. 2, (C.) "A bill extending the time for the redemption of certain lands in this territory on the canal grant."

No. 4, (C.) "Joint resolution in relation to cancelling all auditor's warrants, &c., which are now redeemed and in the hands of the treasurer,"

Was read and adopted, to wit:

Resolved, by the council and house of representatives, that a joint committee of two from each house be appointed to cancel all auditor's warrants, certifiates issued by the secretary of the territory, and other evidences of indebtedness on the part of the territory, which are now redeemed and in the possession of the treasurer; and that the said committee report to the legislative assembly the warrants, certificates, and other evidences of debt so cancelled, designating the number and amount of the same, and in whose favor issued.

Messrs. Trowbridge and Messersmith were appointed the committee on the part of the house under the foregoing resolution.

On motion of Mr. Darling,

The house considered the following entitled bill, in committee of the whole house, to wit:

No. 2, (C.) "A bill extending the time for the redemption of certain lands in this territory on the canal grant,"

Mr. Olin in the chair.

After some time spent therein, the committee rose, and by their chairman reported the bill back to the house without amendment.

The question being on adopting the report of the committee,

Mr. Thompson moved that the bill be referred to the committee on the judiciary;

Which was disagreed to.

The report of the committee was then adopted,

And the bill ordered to a third reading.

On motion of Mr. Darling,

So much of the sixteenth rule of the house as prohibits the reading of bills the second and third time on the same day was suspended in reference to said bill.

Which was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. Thompson,

The communication of the hon. Moses M. Strong, relative to his accounts as late fiscal agent, was taken up for consideration, and,

On motion of Mr. Hunkins,

Referred to the committee on territorial expenditures.

A message from the council, by their secretary:

"Mr. Speaker: The council have adopted the report of the joint select committee to prepare the joint rules and orders for the two houses for the present session, and have negatived bill

No. 1, (of this house,) 'A bill requiring the clerks of the board of supervisors of the several counties to give bonds, and for other purposes.'"

Mr. Capron gave notice that he should, on some future day, ask leave to introduce a bill, entitled

"A bill to provide for the equalization of moneys raised for the support of common schools in school districts composed of parts of different towns."

Mr. Ellis offered the following joint resolution, which was adopted, to wit:

No. 1, "*Resolved*, if the hon. the council concur, that the joint committee on legislative expenditures be directed to inquire what action is necessary to provide for the expenses of the session of the assembly in December and January last, and that said committee report by resolution or otherwise."

A memorial of the following title was then announced for the third reading, and was read the third time, passed, and the title thereof agreed to, to wit:

No. 1, "Memorial to congress asking an appropriation for the opening of a road from Sheboyagan, by the way of Winnebago lake, to the Fox river; and also asking an appropriation for completing that part of the United States military read between Green Bay and Fond du Lac."

Mr. Hunkins, from the joint committee on enrolled bills, reported the following to be correctly enrolled, to wit:

"An act extending the time for the redemption of certain lands in this territory on the canal grant;"

Which was then signed by the speaker.

On motion of Mr. Platt,

Ordered, that one hundred copies of the documents referred to in the governor's message be printed for the use of this house.

Mr. Hunkins, from the joint committee on enrolled bills, reported that they did on this day present to the governor for his approval, a bill entitled

"An act extending the time for the redemption of certain lands on the canal grant."

On motion of Mr. Hunkins,

The house adjourned.

MONDAY, December 11, 1843.

Mr. Hicks, a member from the county of Grant, appeared and took his seat.

Mr. Masters presented a petition from Daniel Baxter, relative to his accounts with the territory, which was,

On motion of Mr. Masters,

Ordered to be referred to a select committee of three.

Messrs. Masters, Crossman, and Palmer were appointed said committee.

Mr. Ellis, by leave, introduced the following resolution, which was adopted, to wit:

Resolved, That the postage on all letters and newspapers sent and received by members of this house during its present session, be paid out of the appropriation by congress for the expenses of the legislative assembly, for the fiscal year ending the 30th June, 1844.

Mr. Palmer gave notice that on some future day he should ask leave to introduce

"A bill to amend an act concerning the City of the Four Lakes."

On motion of Mr. Elmore,

The house adjourned.

TUESDAY, December 12, 1843.

Mr. Agry, from the judiciary committee, to whom had been referred a bill, entitled

"A bill concerning the time of commencing actions, and for other purposes,"

By leave reported said bill back to the house with amendments;

Which was then read the second time.

Mr. Agry, from the same committee, to whom had been referred so much of the governor's message as relates to the right of voting upon the question of state government of the inhabitants of the district of country which is placed by congress under the jurisdiction of Michigan, and which lies west of a line drawn from the northern extremity of Lake Michigan, reported that, in the opinion of the committee, it is not expedient to act at present on that subject, and asked to be discharged from the further consideration thereof.

Which was agreed to.

The speaker laid before the house a communication from Joshua Boyles, relating to a contract for furnishing wood for the use of the assembly,

Which was read, and

On motion of Mr. Capron,

Was referred to the committee on legislative expenditures.

Mr. Elmore presented accounts from W. W. Wyman, and Messrs. Sheldon & Hyer, for printing;

Which were referred to the committee on legislative expenditures.

Mr. Platt gave notice, that on some future day he should ask leave to introduce

"A bill to extend the time for which leases may be granted on school lands."

Mr. Ellis, by leave, offered the following resolution, which was adopted, to wit:

Resolved, That the committee on the judiciary inquire into the expediency of amending the act regulating proceedings in chancery, and that said committee report by bill or otherwise.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 5, (C.) 'Joint resolution in relation to the establishment of a mail route from Milwaukee, via. Mukwanago, and other places therein mentioned, to Mineral Point;'

No. 4, (C.) 'A bill giving to Henry, *alias* Henry Tutt, the name of Henry Early;'

No. 1, (C.) 'Memorial to congress for the improvement of Fox and Wisconsin rivers;'

In all of which I am directed to ask the concurrence of this house.

The council have concurred in the following resolution (of this house):

'Resolution relative to the expenses of the sessions of the legislature held in December and January last;'

And have passed No. 1, (of this house):

'Memorial to congress asking for an appropriation for the opening of a road from Sheboyagan, by the way of Winnebago lake, to the Fox river; and also, asking an appropriation for completing

that part of the United States military road between Green Bay and Fond du Lac.'

The governor of the territory has returned to the council without his signature, bill

No. 2, (C.) 'An act extending the time for the redemption of certain lands in this territory on the canal grant;' accompanied by a message dated December 11th, 1843, stating his objections to the bill;

And the council have reconsidered said bill and passed the same by a unanimous vote—all the members of the council having voted in the affirmative; and I am directed to deliver to the house said act and message."

On motion of Mr. Darling,

The message from the council was taken up for consideration;

When the undermentioned bill and memorial were severally read the first and second time, to wit:

No. 4, (C.) "A bill giving to Henry, *alias* Henry Tutt, the name of Henry Early;"

No. 1, (C.) "Memorial to congress for the improvement of the Fox and Wisconsin rivers."

No. 5, (C.) "Joint resolutions in relation to the establishment of a mail route from Milwaukee, via. Mukwanago, and other places therein mentioned, to Mineral Point;"

Was read and passed, to wit:

Resolved, by the council and house of representatives of the territory of Wisconsin, that our delegate in congress be requested to procure the establishment of a mail route from Milwaukee, via. Mukwanago, Whitewater, outlet of Lake Kushkonong, and McFadden's, on Sugar river, and thence by the most direct route to Mineral Point.

Resolved, That a copy of this resolution, attested by the secretary of the council and clerk of the house of representatives be forwarded to the delegate.

The message from his excellency referred to in the foregoing message from the council was read, and is as follows, viz:

To the Legislative Assembly:

The bill entitled "An act extending the time for the redemption of certain lands in this territory on the canal grant," I return to the council with the following objections:

The provisions of this bill are intended to extend the time for

the redemption of those lands, part of the "canal grant," which were mortgaged to the territory for the purchase money, and which were sold for delinquent taxes by the authorities of the counties of Milwaukee and Jefferson in the years 1841 and 1842.

The questions are therefore raised in the consideration of this bill, whether those lands were lawfully assessed and lawfully sold for taxes; for if they were not, it ought not to become a law, as it would be an indirect recognition by the territory of their validity.

It is proper to inquire whether these lands were originally disposed of by the legislature according to the act of congress granting them to Wisconsin; and if they were, whether those which were sold upon a credit became subject to the system of taxation, until the sums for which they were pledged by mortgage to the territory were actually and fully paid.

The first question it will be unnecessary for me to consider now, as I am satisfied, from the examination I have given to the second, that the bill ought not to pass.

The general principle cannot be doubted, that lands sold by this or any other government which have been granted to such government for a particular use cannot be made liable to taxation until the sum for which they were sold has been paid by the purchaser, and the title actually passed to him from the government.

It may also be asserted, that lands sold upon a *credit* by the government are not subject to the payment of taxes until they are paid for, and the title has passed by patent to the purchaser.

The public lands sold by the United States under the "credit system," were not regarded as taxable property by the attorney general, William Wirt, and by Mr. Meigs, the commissioner of the general land office, as appears by their opinions, copies of which I herewith respectfully present as a part of this communication.

These lands were not granted to the territory for the general purposes of its government, but for a particular object. All of the laws, therefore, which have been passed by the legislature in relation to their disposal, and all deeds, patents, contracts, or other instruments in writing, which have been executed for their sale or conveyance must be taken in subordination to the terms of the grant and to the object designated. No territorial law can be interposed to defeat the provisions of the act of congress.

If they can be sold for taxes before they are paid for, it is very certain that they cannot thereafter be applied to the use for which

they were granted; and it is equally clear, that by such tax sale they are applied, not to the construction of a canal, but to the support of the government of the territory, and of the counties of Milwaukee and Jefferson.

The act of congress declares that "the said lands so granted to aid in the construction of said canal, shall be subject to the disposal of the legislature of the said territory, for the purposes aforesaid and no other."

The second section of that act provides that the "governor of the territory," "or such other person or persons as shall be appointed for the purpose under the authority of the legislature of the said territory," "shall have power to sell or convey any part of said land at a price not less than two dollars and fifty cents the acre," &c.

The sixth section declares, "that the said state of Wisconsin shall be held responsible to the United States, and for the payment into the treasury thereof, of the amount of all *moneys* received upon the sale of the whole or any part of said land, at the price at which the same shall be sold, *not less* than two dollars and fifty cents per acre, if the main canal shall not be commenced within three years, and completed within ten years, pursuant to the provisions of the act creating said canal corporation."

In these provisions, we see all the authority which has been given to the legislature to dispose of these lands: and we also see the great pecuniary responsibility which is thrown upon the people of Wisconsin, if they are sold, and the canal is not completed within ten years from the date of the grant; that is by the 18th day of June, 1848.

It is stated in the report of Messrs. Weeks, Crocker and Tweedy, that "the whole number of acres granted by congress to aid in the construction of the Milwaukee and Rock river canal, amounts to 139,190 acres. Of these, 43,447 have been sold, leaving 95,743 acres subject to the future action of the legislature. They state that these sales were made to actual settlers, who proved to their satisfaction that they "occupied and improved" them. If this was true, the sale of the land for taxes must be void; for the personal property *of the occupant* of any tract of land must, *according to the tax law*, be first taken to pay any tax assessed upon the land occupied by him. It is not to be imagined that those

settlers have had no personal property during the years 1840, 1841, 1842, and 1843.

The report of these gentlemen also states that the lands were bid off at the minimum price of two dollars and fifty cents per acre.

The total value (of the acres sold) at $2 50 per acre,	$108,617 75
Ten per cent. required to be paid down at time of sale,	10,861 77
Total amount of receipts,	12,377 27

These sums show the great interest which the public has in the question involved in this bill, and will, I trust, justify me in asking of you a reconsideration of its provisions.

If the quantity of land stated by the board was actually *sold* to the bidders (and unless it was it could not be taxed) and upon the issuance of the patents by Governor Dodge, it became *their property*, why has the legislature and those purchasers urged upon congress its *right to take back the grant?* If the title has passed from the United States to the territory, and from the territory to the purchasers, it is impossible for congress to resume it. It is gone; and the state of Wisconsin must pay for it into the treasury of the United States, the sum of *one hundred and eight thousand six hundred and seventeen dollars.*

Now, if the mortgages which were executed to the territory were not an indefeasible lien upon the land, or if by the operation of the tax laws they became mere personal sureties, this enormous sum must be paid by Wisconsin, when the sum of twelve thousand three hundred and seventy-seven dollars is the whole amount which has been received by the territory, and when she owns neither an acre of the land nor a foot of the canal.

I must object to any bill which can possibly be construed to sanction a conclusion so important and so unjust. I will now refer to the law of the legislature of the 26th of February, 1839, for the purpose of ascertaining whether these mortgages were protected by that law against the operation of any other by which the right of the territory to hold the land until full payment was made, could be defeated.

I have examined the law attentively, and do not discover any provision to justify the proposition that the land belonged to the purchaser before it was paid for by him, or that the mortgages were received in full payment of the consideration. The 10th

and 11th sections, I think, are conclusive, that the mortgages are a lien upon the land until they are paid.

The 10th section provides that the governor "shall make out and deliver patents to purchasers of any lands which shall be sold agreeably to the provisions of this act, upon receiving the duplicates and returns of the register and receiver, after the close of each sale; provided, however, that no delivery of any patent shall be made to any purchaser of said lands, until said purchaser shall have paid for the same, or made out and executed and deposited with the register *such securities as are hereinafter provided for the payment of any sums which may become due* for the purchase money of any of said lands, and the said register shall record all patents executed by the governor, and immediately following the record of said patent, he shall record the mortgage given by said purchaser *as a collateral* security for the payment of the purchase money for said lands, *which record shall be the only* public notice required *of the existence of the lien* held by the territory, and said lien shall have preference over any other which may be granted on said land," &c.

And in the 11th section it is provided that "in default of the payment of either principal or interest at the time when the same shall be due, it shall be the duty of the register to give public notice of such defalcation, &c.—and it shall thereupon be the duty of the register and receiver to expose to public sale the tract of land on which such delinquency shall have accrued, *and sell the same to the highest bidder.*"

The rights of the territory as a mortgagee are very clearly settled by the terms of this law. If they were not, however, and the territory should be regarded as having the rights only of a citizen, the legal ownership of the land is by the mortgage vested in the territory, the mortgagor having only an equitable interest.

How the patents which were issued were drawn, is to me unknown, but it is quite certain that the statute does not declare what they shall contain, or what estate they shall pass. They cannot, therefore, whatever may be their terms, limit default or annul the provisions of this act, nor pass a title free from the lien; and unless the register and receiver are otherwise directed by a subsequent law, when the sum due on a mortgage is not paid at the time specified, they must proceed to sell the land again at not less than $2 50 the acre. The notion appears to me to be absurd

that while the territory is, by the terms of this law, waiting for its pay, the lands can be sold for taxes, or any other purpose, in violation of the plain provision that it shall be held, and sold if necessary, to pay the purchase money.

This construction is objectionable for another reason: it permits the legislature to do indirectly that which it is forbidden to do directly. The legislature has no power to sell this land for less than $2 50 per acre, or for any other object than to make a canal.

But whatever difference of opinion there may be as to the effect of the laws of the territory, we, as the legislature, have one duty to perform which cannot be mistaken; and that is, to see that the title to this land is not conveyed until the purchase money is paid. It cannot be imagined that the legislature was so negligent of the rights of the public in 1839, as to place all lands subject to the tax laws which had been conveyed to the territory for its own benefit, or as the trustee for other parties. The idea of the territory taxing its own lands, and forfeiting them if it does not pay the taxes, is a novel one, peculiar, it is hoped, to the times in which it originated.

A second ground of objection which I have to this bill is, that if these lands were lawfully taxed and sold, it changes and impairs the contract made with the persons who became the purchasers at the tax sale. They were put up at auction and sold for the taxes which had been assessed on them in the years 1841 and 1842. The sums for which they sold were paid by the purchasers, and certificates were given that unless they were redeemed within two years from the day of the sale, the holder of the certificates should be entitled to receive deeds for the tracts of land therein described.

Can this government change the terms of a sale after the sale is made; or can it change the promise contained in the law and in the certificates, long after the certificates have been issued, and it has received the money therefor from the holders? I understand this to be both a "private contract" and an "engagement" within the terms of the 2d article of compact. It is provided in that article as follows, to wit:

"And in the just preservation of rights and prosperity, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall *in any manner whatever inter-*

fere with or affect private contracts or engagements, bona fide, and without fraud, previously formed."

The constitution of the United States also provides that no "law impairing the obligation of contracts" shall be passed.

I respectfully submit to the council whether this bill is not in violation of these provisions.

J. D. DOTY.

Executive Department,
Madison, December 11, 1843.

Documents accompanying the foregoing Message.

OPINION OF WILLIAM WIRT, ATTORNEY GENERAL, DATED NOVEMBER 4, 1820.

Dear Sir:—The act of congress of the 18th April, 1818, admitting Illinois as a state into the Union, contains the usual provisions, and among others, "that every and each tract of land sold by the United States, from and after the 1st day of January, 1819, shall be exempt from any tax laid by order of the state for *five years*." On the 27th March, 1819, the legislature of Illinois passed an act providing for the valuation of the land and other property, laying a tax thereon. The officers of that state have considered this law as applicable to lands purchased from the United States by individuals in October, 1818, on which one fourth of the purchase money only had been paid, on which the title had not passed from the United States, and which were liable to revert to the United States for a default in the payment of future instalments. Lands thus circumstanced have been sold both in Illinois and the other newly admitted states, and it is said that the practice has been to recognize the validity of these sales by issuing patents to the purchasers under them, on *their* paying the remaining instalments. The object of this note is to beg the favor of you to inform me whether such has been the practice?

The doubt is whether the sale must not be consummated by the payment of the whole of the purchase money and the passing of the patent, before the lands can be said to be sold.

If so, lands entered *before* the 1st January, 1819, and one quarter of the purchase money paid on them, if standing in this predicament on that day, are still within the exemption from taxation, *because the sale is not complete.*

If, however, the United States have recognized the liability of lands thus circumstanced to be taxed, by issuing patents to purchasers under the sale for taxes, there is an end of the question. Will you please to say what the practice is on the opposite page, and oblige,

Yours, &c.,

WM. WIRT.

J. MEIGS, Esqr.

Reply to the above, from the commissioner of the land office;

GENERAL LAND OFFICE,
November 4, 1820.

DEAR SIR: I reply to your letter, that it has been my opinion that the lands sold by the United States in any territory, *prior to its admission into the union*, were exempt from taxes for five years from the time of sale. The lands were sold on a credit of five years, and if not paid for in that time would revert to the United States. Under this opinion, I certainly would not issue a patent to a purchaser at a state tax sale, (even if he tendered the balance due to the United States,) unless he produced an assignment from the original purchaser.

I do not know that a single application has been made for a patent by a purchaser at a tax sale; if such an application has been made and a patent issued, it issued to him as the assignee of the original purchaser, on the production of the assignment, and without any regard to the tax sale.

The act you mention exempts from state taxes for five years all the lands that shall be sold after a specified day, but it does not exempt the unsold lands, yet I never heard a doubt of their being exempt *till the title passes* from the United States.

I am, &c.,

J. MEIGS.

Hon. WM. WIRT, Attorney General.

Mr. Platt moved that the said message and bill do lie on the table;

And pending the question thereon, and

On motion of Mr. Darling,
The house adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The house resumed the consideration of the message of his excellency the governor, returning

"An act extending the time for the redemption of certain lands in this territory on the canal grant,"

With his objections thereto; when,

On motion of Mr. Hunkins,

A call of the house was made;

And the sergeant-at-arms sent to notify Messrs. Capron, Price and Thompson, that their attendance was required in the house.

The absent members having appeared in their seats,

On motion of Mr. Hunkins,

Further proceedings in the call were dispensed with.

The question was then put, "Will the house on re-consideration approve the bill?"

And passed in the affirmative by ayes and noes, as follows:

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Hunkins, Manahan, Masters, Meeker, Olin, Palmer, Parsons, Price, Thompson, Tripp, Trowbridge and Walker, (sp'kr)—23.

The who voted in the negative, were

Messrs. Messersmith and Platt—2.

Mr. Elmore, by leave, offered the following resolution, which was adopted, to wit:

Resolved, That the committee on the judiciary inquire into the expediency of imposing penalties for cutting timber, and for other injuries done on lands purchased of the United States.

Mr. Platt gave notice that on some future day he should ask leave to introduce a bill to provide for the security of the rights of the territory to the canal lands, and to prevent imposition being practiced on the territory in regard to said lands, under a pretence of a sale for taxes.

On motion of Mr. Darling,

The house adjourned.

WEDNESDAY, December 13, 1843.

A message from the governor by his private secretary, Mr. Ch. Doty, to wit:

"Mr. Speaker: I am directed to deliver to the house of representatives a message from the governor in writing."

On motion of Mr. Platt,

Ordered, that the reading of such much of the journal by the clerk, as contains the governor's message, be dispensed with;

And the remainder of the journal was then read.

Mr. Masters, from the joint committee on enrolled bills, reported as correctly enrolled, a memorial of the following title, which was signed by the speaker, to wit:

No. 1, "Memorial to congress, asking an appropriation for the opening of a road from Sheboyagan, by the way of Winnebago lake, to the Fox river; and also asking an appropriation for completing that part of the United States military road between Green Bay and Fond du Lac."

Mr. Elmore, from the joint committee on legislative expenditures, by leave, made the following report, and asked its adoption, viz:

Resolved, by the council and house of representatives, that the printing of the daily journals, or slips, of the respective houses, be dispensed with;

Pending the question on the adoption of the resolution, and,

On motion of Mr. Platt,

A call of the house was made, and

Messrs. Birchard and Manahan reported to be absent.

On motion of Mr. Platt,

Further proceedings in the call were dispensed with.

Mr. Ellis moved that the said resolution do lie on the table.

Which was agreed to.

The speaker laid before the house the message of the governor, this day received, relative to a convention held at Cincinnati in July last, in relation to the territory of Oregon,

Which was read.

Mr. Capron moved that the message, together with the enclosed communication, be referred to the judiciary committee.

Pending the question on agreeing to the motion to refer, and,

On motion of Mr. Elmore,

Ordered, that the message and communication do lie on the table.

The speaker laid before the house the report of the superintendent of territorial property, with accompanying documents,

Which were read. [SEE APPENDIX.]

When Mr. Elmore moved that the said report do lie on the table, and that two hundred copies thereof be printed.

Mr. Hunkins moved to amend the motion by striking out the words "two hundred," and inserting in lieu thereof "five hundree."

Mr. Hicks moved that the report do lie on the table;

Which latter motion, having precedence, was first put,

And was disagreed to.

The question then recurred on agreeing to the amendment of Mr. Hunkins,

And it being put was determined in the affirmative.

And then the motion, as amended, was agreed to.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 6, (C.) 'Joint resolution relative to the expenses of the sessions of the legislative assembly of December 1842, and January 1843;' also, bill

No. 5, (C.) 'A bill to provide for the election of a printer to the legislative assembly;'

In which I am directed to ask the concurrence of this house."

On motion of Mr. Darling,

The house considered the undermentioned bills and memorial, in committee of the whole house, to wit:

No. 2, (H. R.) "A bill concerning the time of commencing actions, and for other purposes,"

No. 4, (C.) "A bill giving to Henry, *alias* Henry Tutt, the name of Henry Early;"

No. 1, (C.) "Memorial to congress for the improvement of the Fox and Wisconsin rivers;"

Mr. Crossman in the chair.

After some time spent therein, the committee rose, and by their chairman reported bill No. 4, (C.) and memorial No. 1, (C.) without amendment; and that they had made progress in bill No. 2, (H. R.) and desired leave to sit again thereon.

Memorial No. 1, (C.) and bill No. 4, (C.) were then ordered to the third reading.

On motion of Mr. Ellis,

So much of the sixteenth rule of the house as prohibits bills, memorials, and resolutions from being read the second and third time on the same day, was suspended in reference to said memorial No. 1, (C.)

Which was then read the third time, passed, and the title thereof agreed to.

Leave was then granted to sit again for the consideration of bill No. 2, (H. R.)

Mr. Platt, in accordance with previous notice, and by leave, introduced

No. 3, "A bill to provide for assessing and collecting county revenue for the county of Grant,"

Which was read the first and second time.

On motion of Mr. Agry,

The house adjourned.

THURSDAY, December 14, 1843.

Mr. Meeker presented a communication from George Beatty, relative to interest on territorial bonds, and asked its reference to the committee on territorial expenditures;

Which was so referred.

Mr. Ellis, from the committee or corporations, to whom a petition had been referred, by leave reported

No. 4, (H. R.) "A bill to change the time of holding the annual meetings of the several boards of county supervisors;"

Which was read the first and second time.

A message from the governor by Mr. Charles Doty, his private secretary, to wit:

"Mr. Speaker: I am directed to deliver to the house of representatives a message from the governor in writing."

Bills on their passage were announced, when the undermentioned bill was read the third time, passed, and the title thereof agreed to, to wit:

No. 4, (C.) "A bill giving to Henry, *alias* Henry Tutt, the name of Henry Early."

The message from the council, received on yesterday, was taken up; when

The undermentioned bill was read the first and second time, to wit:

No. 5, (C.) "A bill to provide for the election of a printer to the legislative assembly."

And the undermentioned read and passed, to wit:

No 6, (C.) "Resolution relative to the expenses of the sessions of the legislative assembly of December, 1842, and January, 1843:"

Resolved, by the council and house of representatives, that a memorial to congress be passed, asking for an appropriation to defray the expenses of the legislative assembly at their sessions in December and January last, and a copy of such memorial be forwarded to the president of the senate and the speaker of the house of representatives of the United States, and to the delegate in congress from this territory.

Resolved, That the secretary of the council and the clerk of the house of representatives be instructed to make out a certificate of the aggregate amount due for the attendance and mileage of the members, and the pay of officers of their respective houses at the said December and January sessions, designating the amount due for each session, separately, and that they forthwith forward such certificates to our delegate in congress.

The speaker laid before the house the message of the governor, together with the accompanying annual report of the adjutant general, this day received; [See Appendix.]

Which were read, and,

On motion of Mr. Platt,

Ordered to be referred to the committee on the militia.

On motion of Mr. Elmore,

The following entitled joint resolution was taken up for consideration, to wit:

No. 2, "Joint resolution to dispense with the printing of the daily journals of the two houses."

Pending the question on the adoption of the said resolution,

A message from the council, by their secretary, was received, to wit:

"Mr. Speaker: The council have passed the following bills, to wit:

No. 6, (C.) 'A bill to amend the act to incorporate the Fox river improvement company;'

No. 8, (C.) 'A bill to enable school district number four, in the town of Janesville, to levy a tax for the purpose of building or purchasing a school house;' also,

No. 2, (C.) 'Memorial for a re-appropriation of certain monies to complete a light house on Grassy Island, near the mouth of Fox river;'

In all of which I am directed to ask the concurrence of this house."

Mr. Ellis moved that the resolution do lie on the table.

And pending the question thereon,

Mr. Thompson moved to amend the motion of Mr. Ellis, by striking out the words "do lie on the table," and inserting, in lieu thereof, the words "be postponed until the 6th day of March next."

Which latter motion, having precedence, was put,

And passed in the negative.

The question was then put on the motion of Mr. Ellis,

And passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Darling, Ellis, Hunkins, Masters, Meeker, Olin, Parsons, and Walker (speaker)—9.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Elmore, Grant, Hicks, Hopkins, Messersmith, Palmer, Platt, Price, Thompson, Tripp and Trowbridge—15.

Mr. Ellis moved to amend the resolution by adding the following, to wit:

"And be it further resolved, that the present session of the legislative assembly shall not exceed the time of fifty days."

And pending the question thereon,

Mr. Thompson moved to amend the amendment by striking out the word "fifty," before the word "days," and inserting in lieu thereof the word "forty;"

And the question being put thereon, it passed in the negative;

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative, were

Messrs. Bartlett, Darling, Hunkins, Meeker, Palmer, Price, Thompson and Walker, (sp'kr)—8.

Those who voted in the negative, were

Messrs. Agry, Birchard, Capron, Crossman, Ellis, Elmore, Grant, Hicks, Hopkins, Masters, Messersmith, Olin, Parsons, Platt, Tripp and Trowbridge—16.

The question was then put on adopting the amendment offered by Mr. Ellis;

And passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Bartlett, Darling, Ellis, Hunkins, Meeker, Olin, Thompson and Walker, (sp'kr)—8.

Those who voted in the negative, were

Messrs. Agry, Birchard, Capron, Crossman, Elmore, Grant, Hicks, Hopkins, Masters, Messersmith, Palmer, Parsons, Platt, Price, Tripp and Trowbridge—16.

The question then recurred on the adoption of the resolution;

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Meeker,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Masters, Olin, Palmer, Platt, Price, Thompson, Tripp and Trowbridge—17.

Those who voted in the negative, were

Messrs. Agry, Birchard, Ellis, Messersmith, Meeker, Parsons, and Walker, (sp'kr)—7.

On motion of Mr. Elmore,

The message from the council was taken up; when,

The undermentioned bills and memorial were severally read the first and second time, to wit:

No. 6, (C.) "A bill to amend the act to incorporate the Fox River Improvement Company;"

No. 8, (C.) "A bill to enable school district number four, in the

town of Janesville, to lay a tax for the purpose of building or purchasing a school house;"

No. 2, "Memorial for a re-appropriation of certain moneys to complete a light-house on Grassy Island, near the mouth of Fox river."

On motion of Mr. Darling,

Ordered, that the undermentioned bills be committed to the committee of the whole house now, to wit:

No. 2, (H. R.) "A bill concerning the time of commencing actions, and for other purposes;"

No. 8, (C.) "A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house."

The house then went into the committee of the whole on the said bills,

Mr. Darling in the chair.

And after some time spent therein, rose, and by their chairman reported bill No. 2 (H.) with amendments, and bill No. 8 (C.) without amendment.

Pending the adoption of the report of the committee,

Mr. Darling moved to amend the same by inserting the following words between the words "estate" and "the" in the third line of the sixth section of bill No. 2, to wit: "or shall redeem the same from any tax sale;"

Which was agreed to;

And then the report was adopted, and the bill ordered to be engrossed for a third reading.

Bill No. 8, (C.) was then ordered to a third reading.

On motion of Mr. Darling,

So much of the sixteenth rule of the house as prohibits bills from being read the second and third times on the same day, was suspended in reference to said bill, No. 8, (C.)

Which was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. Olin,

The house adjourned.

FRIDAY, December 15, 1843.

Mr. Agry presented a petition from Thomas Markie and others, relative to a road; and asked its reference to the committee on roads;

Which was so referred.

Mr. Elmore, from the joint select committee of the two houses, made a report, [SEE APPENDIX] entitled

"Report of a joint committee of the two houses appointed to ascertain how long the present session of the assembly can continue," &c.;

Which was read, and,

On motion of Mr. Darling,

Ordered, that the same be accepted, the committee discharged, and that the clerk of this house transmit said report to the council.

Mr. Darling, from the joint select committee of the two houses appointed at the last session of the legislative assembly to examine the "Wisconsin Marine and Fire Insurance Company," and report thereon at the present session, made a report [SEE APPENDIX] accompanied by resolution

No. 3, "Resolution concerning the Wisconsin Marine and Fire Insurance Company."

A message from the council by their secretary, to wit:

"Mr. Speaker: I am directed to inform this house, that the council have re-considered the vote of yesterday, by which they passed bill

No. 8, (C.) 'A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house.'

I am also directed to present the original petition and remonstrance of the citizens of school district number four, in the town of Janesville, in relation to said bill.

The council have passed bill

No. 10, (C.) 'A bill to authorize the register of deeds of the

county of Grant to procure certain records in the office of the register of deeds of Iowa county;'

In which I am directed to ask the concurrence of this house."

On motion of Mr. Darling,

Ordered, that said resolution No. 3, do lie on the table.

Mr. Agry moved that the above mentioned report be accepted, laid on the table, and that two hundred copies thereof be printed.

Mr. Trowbridge moved to amend the motion of Mr. Agry, by striking out the words "two hundred," and inserting in lieu thereof, the words "one thousand;"

And the question being put on agreeing to the amendment offered by Mr. Trowbridge;

It was decided in the affirmative.

And the ayes and noes having been called for by Mr. Price,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Ellis, Elmore, Grant, Hicks, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Parsons, Thompson, Trowbridge and Walker (speaker)—19.

Those who voted in the negative were,

Messrs. Platt, Price, and Tripp—3.

The motion of Mr. Agry, as amended, was then agreed to.

Mr. Hunkins, from the joint committee on enrolled bills, reported as correctly enrolled

No. 1, (C.) "Memorial to congress for the improvement of the Fox and Wisconsin rivers;"

Which was signed by the speaker.

Mr. Crossman, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 2, "A bill concerning the time of commencing actions, and for other purposes."

Mr. Thompson, by leave, introduced the following resolution,

Which was read the first and second time, to wit:

No. 4, (H. R.) "Resolution to appoint an agent to receive an appropriation to replenish the library."

On motion of Mr. Darling,

Ordered, that so much of the 18th rule of this house as requires bills, &c., to be printed, be suspended with reference to said resolution.

The speaker announced bills on their passage for the third reading, when the undermentioned was recommitted to the committee of the whole house, to wit:

No. 2, (H. R.) "A bill concerning the time of commencing actions, and for other purposes."

On motion of Mr. Capron,

Ordered, that the message from the council received on to-day be now considered;

When the undermentioned bill was read the first and second time, to wit:

No. 10, (C.) "A bill to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of Iowa county."

No. 8, (C.) "A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house," and the petition and remonstrance relating thereto, transmitted by the council were considered, when it was,

On motion of Mr. Capron,

Ordered, that the vote by which said bill was passed be reconsidered.

The reading of the petition and remonstrance relating to said bill having been called for and read,

On motion of Mr. Platt,

Ordered, that the bill, petition and remonstrance do lie on the table.

Mr. Platt, by leave, offered the following resolution, which was adopted, to wit:

Resolved, That the clerk of the house furnish the committee on territorial expenditures with the accounts and vouchers of hon. Moses M. Strong, late fiscal agent of this territory, now on file in the office of the clerk.

On motion of Mr. Trowbridge,

The house adjourned.

SATURDAY, December 16, 1843.

Mr. Meeker, by leave, introduced the following resolution, and asked its adoption, to wit:

Resolved, That this house be opened on Sundays for divine worship for the chaplains of the two houses, or such other ministers of the gospel as they may invite to preach during the present session.

Mr. Agry moved that the resolution do lie on the table;

Which was disagreed to.

Mr. Platt moved to amend the resolution by inserting after the word "Sundays," the words "except in the evening;"

Which was agreed to.

Mr. Ellis moved to amend the resolution by striking out the words "or such other ministers of the gospel as they may invite," and inserting the word "alternately."

And the question being put thereon,

It was disagreed to.

The resolution was then adopted.

Mr. Masters, from the joint committee on enrolled bills reported the following to be correctly enrolled, to wit:

"An act giving to Henry, *alias* Henry Tutt, the name of Henry Early;"

Which was signed by the speaker.

The speaker laid before the house a communication from the chief clerk in answer to a resolution adopted on yesterday relating to the accounts of M. M. Strong, late fiscal agent;

Which was read and laid on the table.

On motion of Mr. Hunkins,

Ordered, that the vote by which the resolution was adopted, giving to the chaplains, &c. the use of the representatives' hall on Sundays, during the session, be reconsidered,

The said resolution then being before the house, a motion was made by Mr. Capron, to amend the resolution by inserting after

the word "houses," the words "and resident ministers of the place."

Pending the question thereon, and

On motion of Mr. Ellis,

Ordered, that the said resolution and amendment do lie on the table.

On motion of Mr. Hopkins,

The house proceeded to consider bill

No. 8, (C.) "A bill to enable school district number four, in the town of Janesville, to levy a tax for the purpose of building or purchasing a school house;" and the petition and remonstrance relating to said bill, and,

On motion of Mr. Platt,

Ordered, that said bill No. 8, (C.) with the accompanying documents, do lie on the table.

On motion of Mr. Platt,

Ordered, that the house consider the undermentioned bill in committee of the whole house, to wit:

No. 3, "A bill to provide for assessing and collecting county revenue for the county of Grant."

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 8, (C.) "Joint resolution relative to appropriations for lake harbors on the western shore of Lake Michigan,"

In which I am directed to ask the concurrence of this house."

The house then resolved itself into committee of the whole on said bill,

Mr. Bartlett in the chair.

And after some time spent therein, the committee rose, reported the progress made therein, and asked leave to sit again.

Leave was granted.

On motion of Mr. Olin,

The house resolved itself into the committee of the whole house on a bill of the following title, to wit:

No. 10, (C.) "A bill to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of Iowa county,"

Mr. Ellis in the chair.

After a short time, the committee rose, and reported that they

had made some progress in the bill, and desired leave to sit again thereon,

Which was granted.

Mr. Trowbridge, agreeably to notice given, and by leave, introduced a bill, to wit:

No. 6, (H. R.) "A bill to amend an act entitled 'an act to amend an act to incorporate the Fox river hydraulic company;'"

Which was read the first and second time.

On motion of Mr. Thompson,

The house resolved itself into the committee of the whole house on the following, to wit:

Mr. Elmore in the chair:

No. 2, (C.) "Memorial for a reappropriation of certain monies to complete a light-house on Grassy Island, near the mouth of Fox river;"

No. 4, (H.) "A bill to change the time of holding the annual meetings of the several boards of county supervisors;"

No. 5, (H.) "A bill to amend an act concerning the City of the Four Lakes."

After some time spent therein, the committee reported that they had made some progress in bills 4 and 5, and desire leave to sit again thereon; and reported memorial No. 2 without amendment.

Leave was granted to sit again for the consideration of said bills; and

The said memorial was ordered to a third reading.

Mr. Ellis gave notice that he should, on some future day, ask leave to introduce a memorial to congress, praying that body to amend the act of the 29th of August, 1842, "to provide for the settlement of certain accounts for the support of government in the territory of Wisconsin, and for other purposes."

The message of the council, received on to-day, was taken up, when

No. 8, (C.) "Joint resolutions relative to appropriations for harbors on the western shore of Lake Michigan;"

Were read, and

On motion of Mr. Elmore,

Ordered to lie on the table.

On motion of Mr. Darling,

No. 5, (C.) "A bill to provide for the election of a printer to the legislative assembly;"

Was committed to the select committee to which the subject of printing was referred.

On motion of Mr. Ellis,

The house took up the resolution offered by Mr. Meeker, relative to the use of the hall for divine service;

When Mr. Capron, by leave, withdrew the amendment offered by him.

Mr. Hicks moved to amend the resolution by striking out all after the word "resolved," and inserting the following words, to wit:

"That this hall be open for divine worship, on Sundays, from 9 o'clock, A. M., until 5, P. M."

And the question being put thereon, was agreed to;

And then the resolution was adopted.

On motion of Mr. Olin,

The house adjourned.

MONDAY, December 18, 1843.

Mr. Hunkins, from the joint committee on enrolled bills, reported that the said committee did on this day present to the governor for his approval,

"A memorial to congress for the improvement of the Fox and Wisconsin rivers;" and

"An act giving to Henry, *alias* Henry Tutt, the name of Henry Early."

Mr. Darling, by leave, presented a petition from the citizens of Fond du Lac, asking a repeal of the charter of the "Fond du Lac Company;"

Which was read, and

On motion of Mr. Agry,

Ordered, that the same do lie on the table.

Mr. Agry, by leave, presented a petition of Lemuel Tyler and others, to alter the boundaries of certain towns therein named, and moved that the same do lie on the table;

Which was agreed to.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 2, (H.) 'Resolution to dispense with the printing of the daily journals of the two houses.' "

Mr. Platt, agreeably to notice given, and by leave, introduced

No. 7, "A bill to provide for the security of the rights of the territory to the canal lands, and to prevent imposition being practiced on the territory in regard to said lands under a pretence of a sale for taxes;"

Which was read the first and second time.

Mr. Platt moved that the bill No. 7, be referred to a select committee to be composed of one from each election district;

Which was agreed to.

Mr. Ellis, agreeably to notice given, and by leave, introduced

No. 2, "Memorial to congress asking an amendment to the act of congress of 29th of August, 1842, and for other purposes;"

Which was read the first and second time.

The speaker announced the appointment of the following named persons, as the select committee to which was referred bill No. 7, this day introduced by Mr. Platt, to wit: Messrs. Platt, Agry, Birchard, Hopkins, Hunkins, Manahan, Masters, and Meeker.

Mr. Ellis, by leave, offered resolution No. 5, entitled

"Resolution relative to the presentation of accounts for arrearages," to wit:

Resolved, by the council and house of representatives, that no account or item of expense incurred by the legislative assembly at former sessions, shall be paid out of the appropriation made by congress to defray the expenses of the present session of the said assembly, unless the said account, item, or voucher, shall be presented to the council or house of representatives on or before the

day of January next.

Mr. Ellis moved that the blank in the aforementioned resolution be filled with the word "fifteenth;"

Which was agreed to; and then,

On motion of Mr. Ellis,

Ordered, that the said resolution do lie on the table.

Bills, &c., on their passage being announced:

No. 2, (C.) "Memorial for a re-appropriation of certain monies to complete a light-house on Grassy Island, near the mouth of Fox river;"

Was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Olin,

Ordered, that the undermentioned joint resolution and bill be referred to the committee of the whole house, to wit:

No. 4, (H. R.) "Resolution to appoint an agent to receive an appropriation to replenish the library;"

No. 10, (C.) "A bill to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of Iowa county;"

Thereupon the house resolved itself into the committee of the whole on the aforementioned bill and joint resolution,

Mr. Hicks in the chair,

And after a short time spent therein, rose, and by their chairman reported the same to the house without amendment.

On motion of Mr. Meeker,

Ordered, that the said bill and joint resolution do lie on the table.

Mr. Platt, agreeably to notice given, and by leave, introduced the following bill, which was read the first and second times, the rule requiring bills, &c., to be printed having been suspended with reference thereto; and the bill referred to the committee on the militia, to wit:

No. 8, (H. R.) "A bill to provide for the enrolment of the militia of this territory."

On motion of Mr. Palmer,

No. 5, (H. R.) "A bill to amend an act concerning the City of the Four Lakes,"

Was considered in the committee of the whole house, and reported without amendment;

Mr. Grant in the chair; and

On motion of Mr. Ellis,

Ordered to be referred to the committee on the judiciary.

Mr. Meeker, by leave, offered the following resolution, to wit:

Resolved, by the council and house of representatives, that

when the two houses adjourn on Thursday next, the 21st instant, they adjourn until Wednesday the third day of January next.

Mr. Hunkins moved to amend the resolution by striking out all after the word "adjourn," where it last occurs, and inserting the words "*sine die.*"

And the question being put thereon,

And passed in the negative.

Mr. Ellis moved to amend the resolution by adding thereto the following words: "provided, that no part of the time to elapse from the 21st of December instant, to the 3d of January next, shall be deemed and taken to be any part of the present session of the assembly, or be included in the per diem allowance to members."

And the said amendment being accepted by Mr. Meeker,

The question was put on the adoption of the resolution, with the proviso,

And determined in the negative.

And the ayes and noes having been called for by Mr. Darling.

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Capron, Elmore, Hicks, Masters, Messersmith, Meeker, Olin, Palmer, Thompson, and Tripp—12.

Those who voted in the negative were,

Messrs. Bartlett, Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, Parsons, Platt, Price, Trowbridge, and Walker (speaker)—12.

On motion of Mr. Ellis,

The house adjourned.

TUESDAY, December 19, 1843.

Mr. Hunkins, from the joint committee on enrolled bills, reported as correctly enrolled

No. 2, (C.) "Memorial for a re-appropriation of certain moneys to

complete a light-house on Grassy Island, near the mouth of Fox river;"

Which was then signed by the speaker.

A message from the governor, by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed to deliver to the house of representatives a message from the governor, in writing."

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 3, (C.) 'Memorial of the council and house of representatives of the territory of Wisconsin, to congress, asking an appropriation to defray the expenses of the legislative assembly of said territory for their sessions held in December and January last;'

No. 9, (C.) 'Joint resolution relative to the distribution of the census returns of 1840,'

In both of which I am directed to ask the concurrence of this house.

The council have also passed a resolution requesting the secretary of the council to request the house of representatives to transmit to the council, bill

No. 8, (C.) 'A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house,' together with the accompanying documents."

The speaker laid before the house the message of the governor, received this morning, covering a communication of the Hon. Alfred Brunson, relating to his travels in the wilderness of the northwestern portion of this territory. [SEE APPENDIX.]

Which were read, when

Mr. Darling moved that the said communication submitted by the governor be laid on the table, and five hundred copies thereof printed.

And the question being put thereon,

It was determined in the affirmative.

And the ayes and and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Birchard, Capron, Darling, Ellis, Elmore, Hicks, Hopkins, Masters, Meeker, Palmer, Parsons, Tripp, Trowbridge, and Walker (speaker)—14.

Those who voted in the negative are,

Messrs. Bartlett, Crossman, Grant, Hunkins, Messersmith, Olin, Platt, Price, and Thompson—9.

On motion of Mr. Elmore,

The message from the council was taken up; when,

The following memorial was read the first and second times, to wit:

No. 3, (C.) "Memorial of the council and house of representatives of the territory of Wisconsin, to congress, asking an appropriation to defray the expenses of the legislative assembly of said territory for the sessions held in December and January last."

No. 9, (C.) "Joint resolution relative to the distribution of the census returns of 1840,"

Was read and passed, and is as follows:

Resolved, by the council and house of representatives of the territory of Wisconsin, that the superintendent of territorial property be directed to deliver to the register of deeds of each of the organized counties of the territory, except the county of Dane, one set of the returns of the sixth census, as prepared and published under the direction of the department of state of the United States, and now remaining in the library to be presented for the use of such counties: *provided*, that the delivery thereof shall not be attended with any expense to the territory.

On motion of Mr. Darling,

Ordered, that the clerk of this house transmit to the council the bill and documents called for in the said message of the council.

On motion of Mr. Darling,

The house resolved itself into the committee of the whole house on memorial

No. 2, (H.) "Memorial to congress asking an amendment to the act of congress of 29th of August, 1842, and for other purposes;"

Mr. Messersmith in the chair.

After some time spent therein, the committee rose and reported the said memorial with an amendment;

Which was agreed to.

Mr. Platt moved the following amendment to be added to the said memorial, to wit:

"And your memorialists also further represent, that in their opinion the per diem allowance of the members of the legislature

should be reduced to two instead of three dollars as it now is; which reduction your memorialists respectfully ask may affect the compensation of the members of the present legislature."

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, Elmore, Grant, Masters, Platt, Price and Thompson—7.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Ellis, Hicks, Hopkins, Hunkins, Messersmith, Meeker, Olin, Parsons, Tripp, Trowbridge and Walker, (sp'kr)—15.

A motion was then made by Mr. Hicks, that the said memorial do lie on the table;

And the question being put thereon,

It passed in the negative.

Mr. Thompson moved to amend the said memorial, by striking out the word "four," before "dollars," in the eighth line of the second paragraph, and inserting in lieu thereof the word "five;"

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Crossman, Darling, Ellis, Elmore, Hicks, Hunkins, Masters, Messersmith, Meeker, Olin, Thompson, Trowbridge and Walker, (sp'kr)—15.

Those who voted in the negative, were

Messrs. Grant, Hopkins, Parsons, Platt, Price and Tripp—6.

On motion of Mr. Hunkins,

The house adjourned.

WEDNESDAY, December 20, 1843.

The undermentioned petitions were severally presented and referred as follows, to wit:

By Mr. Hunkins:

The petition of James C. Hackett and ninety-seven others, single men from the county of Milwaukee, praying the repeal of the law granting licenses to marry;

Referred to the committee on the judiciary, on motion of Mr. Platt.

By Mr. Hunkins:

The petition of citizens of Milwaukee for the construction of a free bridge across the Milwaukee river at Walker's Point;

Referred to the committee on internal improvement.

By Mr. Crossman:

The petition of the inhabitants of the county of Sauk, praying to be organized for county and judicial purposes;

Referred to the following select committee, to wit: Messrs. Crossman, Agry and Tripp.

By Mr. Ellis:

Two petitions of inhabitants of Brown county, praying that the office of register of deeds of said county may be held at Green Bay;

Referred to the committee on the judiciary.

Mr. Platt presented the account of M. M. Jackson, for services as attorney general;

Which was referred to the committee on territorial affairs.

Mr. Hunkins, from the committee on enrolled bills, reported that said committee did on this day present to the governor for his approval the following memorial, to wit:

"Memorial for a re-appropriation of certain moneys to complete a light-house on Grassy Island, near the mouth of Fox River."

Mr. Price, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on territorial affairs be instructed to inquire into the expediency of laying a tax for the purpose

of building a Penitentiary, and of taking measures for that purpose; and that they report by bill or otherwise."

On motion of Mr. Agry,

Ordered, that the petition of citizens of Fond du Lac, praying the repeal of the "Fond du Lac Company," be taken up and referred to the committee on corporations.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed No. 8, (C.) "A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house."

Mr. Agry offered the following resolutions, which were adopted, to wit:

"*Resolved*, That the committee on corporations be directed to inquire into and report the amount of stock actually paid in and constituting the original stock of the association known as the Fond du Lac Company; in what lands the said capital stock was originally invested, and the price per acre at which they were purchased; what portion of such lands have been sold and conveyed by the said company, and at what prices; the amount expended by said company in improvements, and the nature of such improvements, if any; the amount of dividends declared and paid to the stockholders; the names of the present stockholders, the number of shares held by each, and the amount of stock due on the stock of each.

Resolved, That the said committee be further directed to inquire into and report the nature of the title to such lands, acquired by the said company, and how conveyed to them, and the probable time required to bring the business of the said company to a close without prejudice to the interests of the stockholders.

Resolved further, That in obtaining the information sought by the foregoing resolutions, the committee be authorized to require a full statement, as above, to be made under the oath of the president or other fiscal officer of the company."

On motion of Mr. Darling,

Resolution No. 3, entitled "Resolution concerning the Wisconsin Marine and Fire Insurance Company," was taken up,

When Mr. Darling offered the following as an amendment to said resolution:

"*Resolved*, That a joint select committee of three from each

house be appointed, with instructions to report a bill with the following provisions, to wit:

1st. To prohibit the said company from issuing any printed certificate or evidences of debt, on penalty of having its charter declared forfeited.

2d. To prohibit the loan of such issues on penalty of the note, bond, mortgage, or other security given therefor being null and void, and the debt uncollectable.

3d. To prohibit their being circulated as money, on penalty of five dollars on every certificate thus passed, to be recovered of any person paying or receiving the same; and providing that their receipt shall not be regarded as payment and discharge of any debt; or to make such other provisions as in the opinion of the committee will more effectually accomplish the objects contemplated by this resolution."

And then, on motion of Mr. Darling,

Ordered, that said resolution and amendment do lie on the table and be printed.

On motion of Mr. Hopkins,

The message from the council was considered, when bill No. 8 (C.) was read the first and second times, to wit:

"A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house."

On motion of Mr. Hopkins,

The house resolved itself into the committee of the whole house on said bill,

Mr. Parsons in the chair.

After a short time spent therein, the committee rose and reported the bill without amendment.

Mr. Elmore moved to amend the bill by striking out of the first section the word "sixty-five."

Pending the question thereon, and

On motion of Mr. Hicks,

Ordered, that said bill and amendment do lie on the table.

Mr. Masters, from the select committee to which was referred the accounts of Daniel Baxter, by leave, made a report [SEE APPENDIX] accompanied by the following resolution, entitled No. 5, (H.) "Resolution relative to an allowance to Daniel Baxter," to wit:

"*Resolved*, That Mr. Baxter be allowed and paid the sum of one thousand and eight dollars and fifty-five cents, being the amount agreed upon by the committee, including interest up to this day, and that Mr. Baxter be allowed interest on the same until paid;"

Which was read, and,

On motion of Mr. Hicks,

Ordered, that the said report and resolution do lie on the table.

The house proceeded to the unfinished business of yesterday, when

The question was put on ordering memorial No. 2 (H.) to be engrossed for the third reading, entitled "Memorial to congress asking an amendment to the act of congress of 29th of August, 1842, and for other purposes,"

And decided in the affirmative.

Mr. Masters, by leave, offered the following joint resolution, to wit:

"*Resolved*, (the council concurring) That when this house adjourns on Thursday next, it will adjourn to Tuesday, the second day of January next."

Mr. Ellis moved that the resolution do lie on the table.

Pending the question thereon, and

On motion of Mr. Platt,

A call of the house was made, and Messrs. Birchard and Manahan reported to be absent.

On motion of Mr. Platt,

Mr. Manahan was excused from attendance.

The sergeant-at-arms was then sent to notify Mr. Birchard that his attendance was desired in the house.

Mr. Birchard having appeared in his seat,

On motion of Mr. Ellis,

Further proceedings in the call of the house were dispensed with.

Mr. Hunkins moved to amend the motion of Mr. Ellis, by adding the following words—"until Monday next."

Which was accepted by Mr. Ellis;

And then, after debate, and by leave, the said motion was withdrawn.

Mr. Ellis then moved to amend said resolution by adding the following proviso, to wit:

"Provided, no part of the time elapsing during such recess, shall be deemed to be, or taken as part of the present session, or included in the per diem allowance to members;"

When Mr. Elmore called for the previous question.

The speaker stated that under the rule of this house, he was not fully determined in his own mind whether the previous question would cut off the amendment offered by Mr. Ellis to the resolution, but in order to bring the matter before the house for its expression, he should decide that the previous question did not cut off the said amendment, and desired some member would take an appeal to the house for their decision.

Thereupon Mr. Elmore appealed from the decision of the chair;

And the question being put in these words, "Shall the decision of the chair stand as the judgment of the house?"

It was determined in the negative;

And the ayes and nays having been called for on said question,

Those who voted in the affirmative, were

Messrs. Birchard, Crossman, Darling, Ellis, Grant and Parsons —6.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Elmore, Hicks, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Palmer, Platt, Price, Thompson, Tripp, and Trowbridge—17.

So the decision of the speaker was reversed.

Mr. Ellis moved that the house do now adjourn;

Which was disagreed to,

And the ayes and noes having been called for on said question,

Those who voted in the affirmative, were

Messrs. Crossman, Darling, Ellis, and Walker (speaker)—4.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Elmore, Grant, Hicks, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, and Trowbridge —20.

The question was then put in these words—"Shall the main question be now put?"

And passed in the affirmative;

And the ayes and noes having been called for thereon,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Capron, Elmore, Grant, Hicks,

Hopkins, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, Tripp, and Trowbridge—17.

Those who voted in the negative, were

Messrs. Agry, Crossman, Darling, Ellis, Hunkins, Palmer, and Walker (speaker)—7.

The main question was then put on the adoption of the said resolution,

And passed in the negative;

And the ayes and noes having been called for on the said question,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Capron, Elmore, Hicks, Hopkins, Masters, Messersmith, Meeker, Thompson, and Tripp—11.

Those who voted in the negative, were

Messrs. Agry, Crossman, Darling, Ellis, Grant, Hunkins, Olin, Palmer, Parsons, Platt, Price, Trowbridge, and Walker (speaker)—13.

On motion of Mr. Agry,

The house adjourned.

THURSDAY, December 21, 1843.

Mr. Crossman presented the petition of James Campbell and Thomas Stewart, praying to be allowed to construct a dam across Sugar river;

Which was read, and

On motion of Mr. Crossman,

Ordered to be referred to the committee on the judiciary.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed the undermentioned memorial, to wit:

No. 2, (H.) "Memorial to congress asking an amendment of the act of Congress of 29th of August, 1842, and for other purposes."

Mr. Agry, from the committee on the judiciary, by leave, reported bill No. 9, entitled

"A bill respecting the office of register of deeds for the county of Brown;"

Which was read the first and second times, and

On motion of Mr. Ellis,

Ordered to lie on the table until the 8th day of January next.

Mr. Agry, from the same committee, to which was referred the petition of ninety-eight single men from the county of Milwaukee, asking a repeal of the law granting licenses to marry, reported that they have had the same under consideration and that in their opinion it is not expedient to modify the said act, or to repeal any part thereof"

Mr. Hunkins moved that the said report relative to the petition of James C. Hacket and others, do lie on the table.

Mr. Darling moved that the said report and petition be re-committed to the judiciary committee.

The speaker decided that both questions being considered privileged ones, they would be taken in their order, and that the question to lay on the table, having precedence, would first be put.

And the question being put thereon, it passed in the affirmative.

Mr. Elmore, from the committee on legislative expenditures to which the subject was referred, made the following report, which was adopted, to wit:

"The committee on legislative expenditures, to whom was referred a communication of Joshua Boyles, have had the same under consideration, and have instructed me to report the same back to the house, together with the papers submitted to the committee, and ask to be discharged from the further consideration thereof."

The speaker laid before the house a communication from Alexander Mitchell, secretary of the Wisconsin Marine and Fire Insurance Company. [SEE APPENDIX.]

Which was read.

Mr. Capron moved that the said communication do lie on the table until the sixth day of January next, be printed, and made the order of that day, and every day thereafter until disposed of.

Mr. Darling moved to amend the said motion by striking out the word "sixth," and inserting in lieu thereof the word "third."

And the question being put on the said amendment,

It passed in the negative.

And a division being called, there were ayes 10, noes 12.

Mr. Elmore moved to amend the motion as follows:

"That the communication of Alexander Mitchell be printed, and be referred to the committee on corporations, with instructions to report thereon on the sixth day of January next, or as soon thereafter as practicable."

Mr. Capron accepted the said amendment as a modification of the motion moved by him;

When the question was put thereon,

And passed in the affirmative.

Mr. Platt, by leave, introduced

No. 6, (H.) "Resolutions instructing the committee on territorial affairs to report a bill re-organizing the financial department of this territory, and for other purposes,"

Which were read, ordered to lie on the table, and be printed.

Mr. Palmer, by leave, presented the account of J. Chadwick for transportation of books to the county of Green;

Referred to the committee on territorial expenditures.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

"No. 13 (C.) "A bill to incorporate the trustees of the village of Mineral Point," also,

No. 11 (C.) "Resolution relative to the selection of seminary lands,"

In which I am directed to ask the concurrence of this house."

On motion of Mr. Elmore,

Ordered, that all papers relative to the Wisconsin Marine and Fire Insurance Company be referred to the committee on corporations.

The undermentioned memorial was announced for the third reading,

And was read the third time, passed, and the title thereof agreed to, to wit:

No. 2, (H.) "Memorial to Congress asking an amendment to the act of Congress of 29th of August, 1842, and for other purposes."

Mr. Hopkins, by leave, offered the following resolution, which was read and adopted, to wit:

No. 7, "Resolution relative to the Milwaukee and Rock River Canal Company:

Resolved, by the council and house of representatives, that the joint committee of the two houses appointed at the last session of the legislative assembly for the purpose of examining into the affairs of the Milwaukee and Rock River Canal Company, &c., be instructed to report at as early a day as practicable, so that if any legislative action be found necessary, there may be time for such action."

Mr. Crossman, from the select committee to which a petition was referred, by leave reported bill

No. 10, (H.) "A bill to organize the county of Sauk for county, judicial, and other purposes;"

Which was read the first and second times.

On motion of Mr. Messersmith,

The message from the council was taken up, when the undermentioned bill and resolution were read the first and second times, to wit:

No. 13, (C.) "A bill to incorporate the trustees of the village of Mineral Point."

No. 11, (C.) "Resolution relative to the selection of seminary lands."

On motion of Mr. Elmore,

Ordered, that the undermentioned joint resolution be taken up; when it was read, passed, and the title thereof agreed to, to wit:

No. 8, (C.) "Joint resolutions relative to appropriations for harbors on the western shore of Lake Michigan."

Mr. Elmore asked leave of absence for two weeks;

And the question being put on granting leave,

It passed in the affirmative.

Mr. Crossman, by leave, offered the following resolution, which was adopted, and

A division being called, there were ayes 15, noes not counted, to wit:

"*Resolved*, That Moses Meeker, a member of this house, have leave of absence from and after the 21st day of December, inst., to the 3d day of January, 1844."

Mr. Birchard asked leave of absence from the 27th inst. to the 3d day of January next;

And the question being put, it passed in the affirmative.

And the the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Elmore, Grant, Hicks, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Tripp, and Trowbridge—19.

Those who voted in the negative were,

Messrs. Darling, Ellis, Thompson, and Walker, (speaker)—4.

Mr. Capron, by leave, offered the following resolution, to wit:

"*Resolved*, That James Tripp have leave of absence from Saturday next till the third day of January next."

On motion of Mr. Darling,

Ordered, that said resolution do lie on the table.

Mr. Crossman, by leave, offered the following joint resolution, to wit:

"*Resolved*, by the council and house of Representatives, that when this house adjourns on Friday next, it will adjourn until the third day of January next."

Mr. Agry moved to amend the said resolution by striking out the word "Friday," and inserting in lieu thereof the word "Saturday;"

Which was agreed to.

And then the question on the adoption of the resolution, as amended, was put,

And passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Elmore, Hicks, Masters, Messersmith, Meeker, Olin, Thompson and Tripp—10.

Those who voted in the negative were,

Messrs. Bartlett, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Palmer, Parsons, Platt, Price, Trowbridge, and Walker, (speaker)—14.

On motion of Mr. Capron,

Ordered, that the resolution offered by him this day relative to granting leave of absence to James Tripp be taken up.

And the question being put on the passage thereof,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, and Trowbridge—18.

Those who voted in the negative were,

Messrs. Bartlett, Ellis, Palmer, Thompson, and Walker, (speaker)—5.

On motion of Mr. Darling,

The house adjourned.

FRIDAY, December 22, 1843.

On motion of Mr. Platt,

The undermentioned bill was ordered to a third reading, to wit:

No. 10, (C.) "A bill to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of Iowa county."

On motion of mr. Hopkins,

No. 8, (C.) "A bill to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house,"

Was taken up, when

Mr. Elmore renewed his motion to amend said bill by striking out the words "sixty-five" before "dollars."

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Elmore,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Elmore, Parsons, and Thompson—5.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Ellis, Grant, Hicks, Hopkins, Hunkins, Masters, Messrsmith, Olin, Platt, Price, Trowbridge, and Walker, (speaker,)—15.

The question then being put on ordering the said bill to a third reading,

It passed in the affirmative.

On motion of Mr. Hopkins,

Ordered, that so much of the sixteenth rule of the house as prohibits bills &c. from being read the second and third times on the same day, be suspended in reference to said bill No. 8.

Which was then read the third time, passed, and the title thereof agreed to.

Mr. Hunkins, by leave, offered the following resolution, to wit:

"*Resolved*, That Thomas H. Olin have leave of absence from this house from the 24th to the 31st inst."

The question being put on the adoption thereof,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Messersmith,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hicks, Hopkins, Masters, Messersmith, Platt, Price, and Trowbridge—13.

Those who voted in the negative were,

Messrs. Ellis, Hunkins, Parsons, Thompson, and Walker, (speaker)—5.

On motion of Mr. Crossman,

The undermentioned bill was committed to the committee of the whole house, to wit:

No. 10, (H.) "A bill to organize the county of Sauk for county, judicial and other purposes."

Thereupon the house resolved itself into the committee of the whole house for the consideration of said bill,

Mr. Birchard in the chair.

And after some time spent therein, the committee rose, and by their chairman reported that they had made some progress in the bill, and desired leave to sit again thereon.

Leave was granted.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 12, (C.) "Joint resolution in relation to amending the 14th joint rule of the two houses,"

In which I am directed to ask the concurrence of this house;

And have indefinitely postponed memorial

No. 2, (of this house,) "Memorial to congress asking an amendment to the act of congress of 29th of August, 1842, and for other purposes."

Mr. Capron, by leave, offered the following resolution, to wit:

"*Resolved*, That the Hon. William A. Bartlett have leave of absence from this house from the 26th inst, to the 2d day of January next, both days inclusive."

And the question being put on the adoption thereof,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Birchard, Capron, Crossman, Grant, Hicks, Masters, Messersmith, Olin, Price, and Trowbridge—10.

Those who voted in the negative were,

Messrs. Darling, Ellis, Hopkins, Hunkins, Parsons, Platt, Thompson, and Walker, (speaker)—8.

Mr. Ellis, by leave, offered the following resolution, to wit:

"*Resolved*, That the excusing of members of the house from attendance, for a longer term than three days at any one time, to such an extent as to leave the house without a quorum for the transaction of business, is a violation of the 15th joint rule of the two houses, and would be a breach of faith towards the council."

Mr. Platt moved to amend the resolution by striking out all after the word "resolved," and inserting in lieu thereof the following, to wit:

"That members of this house who ask for leave of absence for a longer time than three days at any one time, to such an extent as to leave the house without a quorum for the transaction of business, do violate the 15th joint rule of the two houses, and that it is a breach of faith towards the council.

And the question being put on the said amendment,

It passed in the negative.

The question then recurred on the adoption of the resolution, when,

On motion of Mr. Platt,

A call of the house was made, and the sergeant-at-arms sent to notify Messrs. Agry and Birchard that their attendance was desired in the house.

Mr. Agry having appeared in his seat,

On motion of Mr. Darling,

Further proceedings in the call of the house were dispensed with.

The question was then put on the adoption of the resolution offered by Mr. Ellis,

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, Olin, Palmer, Parsons, Thompson, Trowbridge and Walker, (speaker)—15.

Those who voted in the negative were,

Messrs. Hicks, Masters, Messersmith, Platt, and Price—5.

On motion of Mr. Messersmith,

The house resolved itself into the committee of the whole house, having under consideration the undermentioned bill, to wit:

No. 13, (C.) "A bill to incorporate the trustees of the village of Mineral Point."

Mr. Thompson in the chair.

And after some time spent therein, the committee rose, and by their chairman reported said bill back to the house with amendments;

In which the house concurred, and the bill was then ordered to the third reading.

On motion of Mr. Hopkins,

The house adjourned until half past two o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

On motion of Mr. Darling,

The house resolved itself into the committee of the whole house for the consideration of the undermentioned memorial and joint resolution, to wit:

No. 3, (C.) "Memorial of the council and house of representatives of the territory of Wisconsin, to congress, asking an appropriation to defray the expenses of the legislative assembly of said territory for their sessions held in December and January last."

No. 11, (C.) "Resolution relative to the selection of seminary lands."

Mr. Platt in the chair.

After a short time spent therein the committee rose, and by their chairman reported back to the house said resolution and memorial without amendment.

On motion of Mr. Hicks,

Ordered, that the said resolution do lie on the table.

And then the memorial was ordered to the third reading.

The house took up the message from the council, when the undermentioned joint resolution was read, to wit:

No. 12, (C.) "Joint resolution in relation to amending the 14th rule of the two houses;" which is as follows, to wit:

"*Resolved*, by the council and house of representatives, that the joint select committee appointed by the two houses to prepare joint rules and orders of the two houses, be instructed to inquire into the expediency of so amending the 14th joint rule as to prohibit the printing of any communication presented to the legislative assembly, or any report of either house, more than the usual number, without the concurrence of both houses."

And the question being put on the adoption thereof,

It passed in the negative.

Mr. Darling gave notice that on some future day he should move to amend the 16th rule of the house, by striking out the words following, to wit: "without special order of the house."

On motion of Mr. Palmer,

The house resumed its session in committee of the whole house for the consideration of bill

No. 10, (H.) "A bill to organize the county of Sauk for county, judicial, and other purposes,"

Mr. Thompson in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the bill back to the house with amendments;

In which the house concurred, and ordered the bill to be engrossed for a third reading.

Mr. Palmer moved that the said bill be now read the third time by the special order of the house.

And the question being put thereon,

It passed in the negative.

On motion of Mr. Grant,

Ordered, that bill No. 4, (H.) entitled "A bill to change the

time of holding the annual meetings of the several boards of county supervisors," be now considered in the committee of the whole house.

The house then resolved itself into the committee of the whole house on said bill,

Mr. Palmer in the chair;

And after some time spent therein, the committee reported that they had made some progress in the bill, and desired leave to sit again thereon,

Which was granted.

Mr. Palmer, a minority of the select committee to which the subject was referred, made the following report, to wit:

"Your committee have carefully examined the contract made with Mr. Baxter, together with the account connected therewith, and the minority of said committee has arrived at the following conclusion, to wit:

The minority of your committee finds that by a contract, entered into between Mr. Baxter and the territory, that Mr. Baxter, in consideration of the sum of seven thousand dollars, undertook to complete the capitol according to a plan therein specified, within a certain time, and that he was to receive payment for his work as it progressed; that said contract was not complied with by Mr. Baxter in the manner agreed upon in said contract; that Mr. Baxter has received the sum of six thousand dollars, while the amount of unfinished work on his contract amounts to two thousand three hundred and sixteen dollars. The following is the estimate of the unfinished work on the capitol:

Dome and piazza, per contract by county commissioners of Dane with Mr. Van Bergen,	$485 00
Ballustrade, per estimate of Mr. Hoadly,	350 00
Various items of unfinished work, as estimated by the superintendent of public buildings,	1481 00
Total amount of unfinished work,	2316 00
Total amount to have been paid for completion of capitol according to contract,	7000 00
From which should be deducted for unfinished work,	2316 00
Paid to Mr. Baxter,	$4684 00

The amount which has been paid to Mr. Baxter,	$6000 00
From which deduct the amount which should have been paid him for work,	4684 00
Leaving amount overpaid him on contract,	$1316 00
From this amount deduct what has been allowed by superintendant for extra work,	468 24
Leaving a balance overpaid to Mr. Baxter for all work done by him on capitol,	$847 76

According to this estimate, it appears that Mr. Baxter has been overpaid by the territory for the entire work done by him on the capitol, the sum of eight hundred and forty-seven dollars and seventy-six cents."

On motion of Mr. Crossman,

Ordered, that said report do lie on the table.

A message from the council by their secretary:

"Mr. Speaker: The council have passed resolution No. 7, (of this house) 'Resolution relative to the Milwaukee and Rock river canal company.'"

Mr. Bartlett offered the following resolution, to wit:

"*Resolved*, That when this house next adjourns, it will adjourn until Tuesday next, at 10 o'clock, A. M."

Mr. Birchard asked to be excused from voting on said resolution,

Which was disagreed to;

And the question being put on the adoption of the resoution,

It passed in the affirmative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Ellis, Masters, Messersmith, Olin, Palmer, Price, Trowbridge, and Walker (speaker)—13.

Those who voted in the negative, were

Messrs. Darling, Grant, Hicks, Hopkins, Hunkins, Parsons, Platt, and Thompson—8.

Mr. Ellis offered the following resolution,

Which was adopted, to wit:

No. 8, (H.) "Resolution concerning clocks for the use of the Assembly—

Resolved, by the council and house of representatives, that the committee on legislative expenses be instructed to include in the appropriation bill for legislative expenses for the present session, an item of twenty dollars to J. D. Weston, for pay in full for two clocks furnished for the two halls of the capitol."

And then the house adjourned.

TUESDAY, December 26, 1843.

A message from the council, by their secretary:

"Mr. Speaker: The council have passed

No. 9, (C) 'A bill to amend the act to provide for the election of sheriffs, judges of probate, and justices of the peace, and for other purposes,'

In which I am directed to ask the concurrence of this house.

And have concurred in

No. 8, (of this house,) 'Resolution concerning clocks for the use of the assembly.'"

Mr. Ellis presented the petition of citizens of Brown county, for the organization of the town of Howard;

Which was referred to the committee on corporations.

The petition of Samuel Tyler and others for the alteration of town boundaries of certain towns, presented December 18th, was taken up, and

Referred to the committee on corporations.

Mr. Price offered the following resolution:

"*Resolved*, by the house of representatives, that a select committee, consisting of three members of the house of representatives, be appointed to inquire into the expediency of constructing a rail road from Potosi, on the Mississippi river, to Lake Michigan, and said committee be authorized to report by bill or otherwise."

Mr. Darling moved to amend the said resolution by striking out the words "by bill or otherwise;"

Which amendment was accepted by Mr. Price, and the resolution adopted,

Mr. Hicks offered the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on mining and smelting be instructed to report upon the expediency of passing a memorial to congress praying for the abolishment of the present sysrem of leasing the lead mines in this territory, by the adoption of some other mode which will more effectually protect the interest and rights of the operative miner, in leasing by ranges instead of lots of from ten to one hundred and sixty acres, as is now the case, or whether the leasing system should be abolished altogether, and the reserve mineral lands sold; if sold, at what price, and what protection should be given to residents on or owners of lots at the time of sale."

Mr. Darling offered the following resolution, which was adopted, to wit:

"*Resolved*, (the council concurring herein) that the committees on schools of the two houses act jointly in relation to any subject pertaining to a revision of the laws in relation to schools, or upon any other subject which shall be referred to them *jointly* by either house."

Mr. Platt, from the committee on legislative expenses, to which was referred the communication of Moses M. Strong, made a report, [See Appendix,] appended to which was the following resolution, entitled

"Resolution concerning the settlement of an account therein mentioned:

Resolved, (the hon. the council concurring,) that be appointed to receive of the hon. Moses M. Strong, late fiscal agent of this territory, the sum of two hundred dollars, with interest at seven per cent. per annum from the 27th day of January, 1840, and that said be, and is hereby, directed to pay the same over to Messrs. Collier & Pettus, of St. Louis, Missouri, to the credit of this territory, on the debt due therefrom to the said Collier & Pettus.

The said sum of two hundred dollars, and interest, as above stated, being due from said fiscal agent in consequence of an error in the settlement of his accounts, made by the select committee of the house of representatives at its session in 1839–40, page 350, as per report of your committee on legislative expenditures, this day submitted."

On motion of Mr. Agry,

Ordered, that said resolution do lie on the table.

Mr. Agry, from the judiciary committee, to which a petition and resolution were referred, by leave reported the following bills, which were read the first and second times, to wit:

No. 11, (H.) "A bill for an act to authorize the town of Janesville to collect certain taxes."

No. 12, (H.) "A bill for an act amendatory of 'an act to prescribe the mode of proceeding in chancery.'"

Mr. Parsons, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 10, (H.) "A bill to organize the county of Sauk, for county, judicial, and other purposes."

On motion of Mr. Hicks,

Resolution No. 11, (C.) relating to the selection of seminary lands, was taken up for consideration, and

On motion of Mr. Ellis,

Was laid on the table.

Mr. Agry gave notice that on some future day he should, by leave, introduce a bill for the preservation of timber on rivers and streams.

The speaker announced the undermentioned bills for the third reading, which were then severally read the third time, passed, and the titles thereof agreed to, to wit:

No. 10, (H.) "A bill to organize the county of Sauk, for county, judicial, and other purposes."

No. 10, (C.) "A bill to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of Iowa county."

Memorial No. 3, (C.) of the council and house of representatives of the territory of Wisconsin, to congress, asking an appropriation to defray the expenses of the legislative assembly of said territory for their sessions held in December and January last, being announced for a third reading,

Mr. Hopkins asked the unanimous consent of the house to offer and amendment to the same;

And objection being made,

Mr. Hopkins moved that the said memorial be re-committed to the committee of the whole house;

And the question being put thereon,

It passed in the negative.

The said memorial was then read the third time, passed, and the title thereof agreed to.

And the ayes and noes having been called for on the passage of said memorial, by Mr. Capron,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Grant, Hicks, Hunkins, Parsons, Platt, Price, Thompson, Trowbridge, and Walker, (speaker)—11.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Hopkins, and Palmer—5.

On motion of Mr. Hicks,

Ordered, that bill No. 13, (C.) entitled "A bill to incorporate the trustees of the town of Mineral Point," do lie on the table;

The same having been announced for a third reading.

On motion of Mr. Platt,

The house took up resolutions

No. 6, (H.) "Resolutions instructing the committee on territorial affairs to report a bill re-organizing the financial department of this territory, and for other purposes," and,

On motion of Mr. Ellis,

Referred the same to the joint committee on territorial expenditures, with instructions to report what action, if any, is necessary on the subject therein named.

Mr. Capron moved that the majority and minority reports of the select committee relating to a settlement with Daniel Baxter, be now taken up, for the purpose of printing the same;

And the question was put,

And passed in the negative.

On motion of Mr. Ellis,

Ordered, that the undermentioned resolution be taken up, to wit:

No. 11, (C.) "Resolution relative to the selection of seminary lands," when,

On motion of Mr. Ellis,

The resolution was amended by striking out all after the word "resolved" to the word "provided," in the first paragraph, and inserting in lieu thereof the following, to wit:

"That three commissioners shall be appointed to select all lands authorized to be set apart and reserved from sale by virtue of an act of congress approved the 12th day of June, 1838, enti-

tled 'an act concerning a seminary of learning in the territory of Wisconsin,' which have not been so selected, set apart, and reserved from sale, as aforesaid; provided, that such lands shall be selected in equal quantities, as near as may be, within the three several land districts of Green Bay, Milwaukee, and Mineral Point, to wit: one third part in the Green Bay land district; one third part in the Milwaukee land district; and one third part in the Mineral Point land district;"

And by adding the following paragraph after the word "aforesaid," in the same paragraph, to wit:

"That shall be the commissioner to act in the Green Bay land district; and shall be the commissioner to act in the Milwaukee land district; and shall be the commissioner to act in the Mineral Point land district."

On motion of Mr. Ellis,

The first blank in the resolution was filled with the name of "Theodore Conkey,"

On motion of Mr. Darling,

The second blank in the resolution was filled with the name of "John T. Haight."

On motion of Mr. Hicks,

The third blank in the resolution was filled with the name of "George W. Laikin."

Then the resolution, as amended, was ordered to the third reading, and by the special order of the house, was

Read the third time, passed, and the title thereof agreed to.

Mr. Darling offered the following resolution, to wit.

"*Resolved*, That from and after this date, the chief clerk be directed to prepare and furnish a copy of the daily journal of this house for printing, and that the printer of the house be directed to print as heretofore the daily slips for the use of the house."

A call of the house having been made by Mr. Platt, and further proceedings in the call dispensed with.

The question was put on the adoption of the said resolution,

And passed in the affirmative;

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Capron, Darling, Ellis, Grant, Hopkins, Hunkins, Parsons, Platt, Thompson, Trowbridge, and Walker (spk'r)—12.

Those who voted in the negative were,

Messrs. Bartlett, Hicks, and Price—3.

Mr. Ellis, by leave, offered the following resolution, to wit:

"*Resolved*, That the superintendent of public property be directed to inquire into, and report to this house, the propriety of causing sufficient fuel to serve for a session of the legislative assembly annually, to be cut suitable length for the fires, and placed in the basement story of the capitol, on or before the fist day of November in each year, also into the propriety of constructing elevators, to raise the fuel from the basement to the second floor, and the probable cost of the same.

Mr. Platt moved that the resolution do lie on the table;

And the question being put thereon,

It passed in the negative.

And then the resolution was adopted.

On motion of Mr. Price,

The house adjourned.

WEDNESDAY, December 27, 1843.

Mr. Darling, from the select committee to which was referred a resolution of this house relative to printing, and bill No. 5, (C.) entitled "A bill to provide for the election of a printer to the Legislative Assembly," reported the said bill to the house without amendment.

On motion of Mr. Platt,

Ordered, That the said bill do lie on the table.

Mr. Masters, from the committee on enrolled bills, reported as correctly enrolled,

No. 8, (C.) "An act to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house;"

Which was signed by the speaker.

The speaker announced the following named persons as the

select committee under the resolution offered by Mr. Price on yesterday, relative to the construction of a rail road, to wit:

Messrs. Price, Messersmith, and Thompson.

The message from the council was taken up,

When the undermentioned bill was read the first and second times, and

On motion of Mr. Ellis,

Ordered, to be referred to the committee on the Judiciary, to wit:

No. 9, (C.) "A bill to amend the act to provide for the election of sheriffs, judges of probate and justices of the peace, and for other purposes."

On motion of Mr. Darling,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 6, (C.) "A bill to amend the act to incorporate the Fox river improvement company."

Thereupon, the house resolved itself into the committee of the whole house for the consideration of said bill,

Mr. Parsons in the chair.

After a short time spent therein, the committee rose, and by their chairman reported said bill to the house, without amendment;

Which was then ordered to the third reading.

On motion of Mr. Hopkins,

The house resolved itself into the committee of the whole house, Mr. Trowbridge in the chair, having under consideration the undermentioned bill, to wit:

No. 11, (H.) "A bill for an act to authorize the collector of the town of Janesville, to collect certain taxes;"

After a short time spent therein, the committee rose, and by their chairman reported said bill to the house, without amendment;

Which was then ordered to be engrossed for a third reading,

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed, the undermentioned bill, to wit:

No. 11, (H.) "A bill for an act to authorize the collector of the town of Janesville to collect certain taxes."

Mr. Hopkins, by leave offered the following resolution, which was adopted, to wit:

No. 11, (H.) "Resolution relative to schools."

"*Resolved*, (the Council concurring) that the committee on schools be requested to inquire into the expediency of so amending the laws in relation to schools, as to increase the amount which the several school districts may raise for the purpose of building school houses, also to authorize the districts to assess and collect taxes on taxable property, omitted on the rolls of the town assessors; also to provide for the more speedy collection of taxes, and for fixing upon the minimum amount, which each town or county shall annually raise for the support of schools; and also what action, if any, is proper to be taken in relation to the school lands; and inquire generally what defects exist requiring remedial legislation, and report at as early a day as practicable, by bill or otherwise."

On motion of Mr. Trowbridge, the house adjourned.

THURSDAY, December 28, 1843.

Mr. Hunkins presented several remonstrances of inhabitants of the county of Milwaukee against the construction of a bridge across the Milwaukee river at Walker's Point;

Which were referred to the committee on internal improvements.

A message from the council, by their secretary:

"Mr. Speaker: The council have refused to concur in No. 10, (H.) "Resolution instructing the committee on schools to act jointly;"

And also, in the amendments of this house to No. 11, (C.) 'Resolution relative to the selection of seminary lands.'"

Mr. Darling offered the following resolution, which was read and adopted, to wit:

"*Resolved*, That the committee on the judiciary be directed to inquire into the expediency of passing a law embracing the following provisions, to wit:

1st, That the several counties under the system of county government, have power to bid off at the tax sale in each year, the delinquent list of lands, which remains unpurchased on the 10th day of the sale in each year.

2d, That the time of redemption be extended to five years from the day of sale, with twenty-five per cent. interest for the said five years.

3d, That the purchaser of tax certificates, or the holder thereof, shall have the right to pay the taxes on the tract purchased for subsequent years and receive interest on the same at the rate of ten per cent., by filing in the office a statement that the taxes are paid on the tax certificates of a certain year, as the case may be.

4th, That no suit shall be brought to recover any lands sold for taxes unless commenced within two years after the deed shall have been recorded.

5th, That the holders of tax certificates shall, when they assign the same, file a statement in the office of the register of deeds and county commissioners' office, stating to whom assigned."

The speaker laid before the house a communication from John Y. Smith, superintendent of territorial property, in answer to a resolution concerning the excavation of rooms in the basement story of the capitol, and the construction of elevators to raise wood to the second floor of the same for the use of the assembly;

Which was read and laid on the table.

Mr. Ellis, from the committee on corporations, to which certain petitions were referred, reported

No. 13, (H.) "A bill to set off the town of Howard in the county of Brown;"

Which was read the first and second times.

Bills on their passage were announced by the speaker, when the undermentioned were severally read the third time, passed, and their titles agreed to, to wit:

No. 6, (C.) "A bill to amend the act to incorporate the Fox river Improvement Company;"

No. 11, (H.) "A bill for an act to authorize the collector of the town of Janesville to collect certain taxes."

Mr. Masters, from the committee on enrolled bills, reported that the committee did on this day present to the governor for his approval, a bill, entitled

"An act to enable school district number four, in the town of Janesville, to lay a tax for the purpose of building or purchasing a school house."

Mr. Messersmith presented the account of Moses M. Strong against the territory, for professional services, which,

On motion of Mr. Darling,

Was ordered to lie on the table.

The message from the council relative to No. 11, (C.) "Resolution relative to the selection of seminary lands," being taken up for consideration,

And the question being put, "Will the house insist on its amendments" to said resolution?

It passed in the affirmative;

And the ayes and noes having been called for on the said question,

Those who voted in the affirmative, were

Messrs. Capron, Crossman, Darling, Ellis, Grant, Hicks, Manahan, Masters, Messersmith, Platt, Price and Walker (spk'r)—12.

Those who voted in the negative, were

Messrs. Hopkins, Hunkins, Parsons, Thompson and Trowbridge—5.

Mr. Hunkins moved that bill No. 5, (C.) be now taken up, entitled

"A bill to provide for the election of a printer to the legislative assembly;"

And pending the question thereon,

The following message was received from the council by their secretary:

"Mr. Speaker: The council have passed No. 13 (C.) 'Resolution relative to a ship canal around the Falls of St. Mary,' in which I am directed to ask the concurrence of this house."

A motion was then made by Mr. Grant to adjourn,

And the question being put, it passed in the negative.

The question was then put on taking up the said bill,

And it passed in the negative.

On motion of Mr. Thompson,

Resolved, That the judiciary committee, to which a resolution was referred relative to the sale of lands for taxes, inquire further into the propriety of imposing a penalty on the collector of taxes

for selling any tract of land on which the taxes shall have been paid to said collectors.

On motion of Mr. Hunkins,

The house adjourned.

FRIDAY, December 29, 1843.

Mr. Messersmith presented the remonstrance of inhabitants of Mineral Point against the incorporation of said town as a city;

Which was read and laid on the table.

The undermentioned petitions were severally presented, and referred as follows, to wit:

By Mr. Masters, the petition of Benjamin Piper and others, citizens of the town of Union, in Jefferson county, for the organization of new towns.

Referred to the committee on corporations.

By Mr. Capron, the petition of inhabitants of town No. two, in range No. eighteen, for the organization of a town by the name of Hudson.

Referred to the committee on corporations.

By Mr. Grant, the petition of inhabitants of the town of Paris, praying that the said town may be enlarged.

Referred to the committee on corporations.

By Mr. Hunkins, the petition of citizens of Milwaukee, for the construction of a bridge across the Milwaukee river at Walker's Point.

Referred to the committee on internal improvements.

Mr. Darling offered the following resolution, to wit:

"*Resolved*, That the accounts of Moses M. Strong, for professional services in the territorial suits, be referred to the committee on territorial expenditures, with instructions to ascertain and report to this house the whole amount of expenses accruing in said suits, and paid or outstanding against the territory, up to this time, specifying the nature of such expenses."

Mr. Hopkins offered the following as an amendment, to wit:

"That the committee on territorial expenditures be instructed to ascertain,

1st. The amount of cost already incurred in prosecuting territorial suits against the building commissioners, treasurer of the board, and contractor, and their sureties, for which the territory is liable;

2d. The amount of attornies fees for conducting the suits;

3d. What would have been the fees if the suits had been conducted by the proper law officer who is authorized by law to attend to all suits;

4th. Whether the opinion of the attorney generals, whose duty it is made by law to attend to such suits, has ever been asked or given as to the expediency of instituting said suits, and the propriety of continuing them from time to time, and prosecuting them to final judgment; and whether they have given any opinion, and if so, what those opinions were, and whether given officially or not;

5th. Whether it is advisable further to continue said suits, together with any other information which may aid this house to determine whether such suits should be further prosecuted or not, and to report to this house at as early a day as possible."

Mr. Platt offered the following as an amendment, which was accepted by Mr. Hopkins:

Add to the amendment the following words:

"And to take into consideration such other matters appertaining to said suits as they shall deem proper."

The question was then put on agreeing to the amendment,

And passed in the negative.

And the ayes and noes having been called for by Mr. Palmer,

Those who voted in the affirmative were,

Messrs. Agry, Hopkins, Messersmith, Palmer, Platt, Price and Thompson—7.

Those who voted in the negative were,

Messrs. Capron, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Manahan, Masters, Parsons, Trowbridge and Walker, (sp'kr) —12.

Mr. Darling offered the following as a modification of the resolution moved by him, to wit:

"And that they also report any other facts which will tend to show the propriety or impropriety of further prosecuting such suits."

Mr. Capron offered the following amendment;

Which was agreed to, to wit:

Add to the resolution the following words:

"Also, in order to ascertain the liability of the territory, the committee inquire when and by whom said suits were commenced, and whether such person or persons were duly authorized by law to prosecute in behalf of the territory."

Mr. Ellis moved to amend the resolution by striking out the words "territorial expenditures," and inserting the word "judiciary."

Mr. Hopkins called for a division of the question on striking out, when

The speaker decided that the question was not divisible.

The question was then put on the amendment of Mr. Ellis,

And passed in the affirmative.

The resolution, as amended, was then adopted.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 18, (C.) "A bill to authorize the village of Racine to borrow money, and for other purposes,"

In which I am directed to ask the concurrence of this house."

Mr. Capron offered the following resolution, to wit:

"*Resolved*, That the committee on roads be instructed to inquire into the propriety of having three county road commissioners elected annually (in those counties that have adopted the township government) who, in addition to other duties conferred upon them, shall have appellate jurisdiction over the acts of town commissioners, who shall be paid for their services, in such cases, by the appellants. Also to examine that part of the act relating to the assessment of road taxes, for the purpose of so amending the same that the assessments shall be uniform, either in money or in labor, and that the said committee report by bill or otherwise.

On motion of Mr. Thompson,

Ordered, that said resolution do lie on the table.

Mr. Masters, from the joint committee on enrolled bills, reported as correctly enrolled, the following, which were signed by the speaker, to wit:

No. 6, (C.) "An act to amend the act to incorporate the Fox river improvement company;"

No. 10, (C.) "An act to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of Iowa county;"

No. 3, (C.) "Memorial of the council and house of representatives of the territory of Wisconsin to congress, asking an appropriation to defray the expenses of the legislative assembly of said territory for the sessions held in December and January last."

A message from the council by their secreaty:

"Mr. Speaker: The council have insisted on their vote by which they refused to concur in the amendment of this house to

No. 11, (C.) 'Resolution relative to the selection of seminary lands,'

And have appointed Messrs. Crocker and Martin a committee of conference on their part to confer with such committee as the house may appoint, and propose to refer to such committee the disagreement of the two houses."

The messages of the council on the table were taken up, when

The following entitled resolution was read and adopted, to wit.

No. 13, (C.) "Resolution relative to a ship canal round the Falls of St. Mary:

Resolved, by the council and house of representatives of the territory of Wisconsin, that the construction of a ship canal around the Falls of St. Mary, at the outlet of Lake Superior, is a measure of national importance, and deserves the early attention of congress.

Resolved, That a copy of these resolutions be forwarded to our delegate in congress, and that he be requested to lay the same before that body."

No. 18, (C.) "A bill to authorize the village of Racine to borrow money, and for other purposes,"

Was read the first and second times.

The message of the council being read, requesting a committee of conference to be appointed on the disagreeing vote of the two houses relative to resolution No. 11, (C.) "Resolution relative to the selection of seminary lands,"

The question was put on ordering a committee of conference to be appointed,

And passed in the affirmative.

Thereupon the speaker appointed Messrs. Ellis and Hicks said committee.

Mr. Agry moved that the house take up the undermentioned bill, and consider the same in the committee of the whole house, to wit:

No. 12, (H.) "A bill for an act amendatory of an act entitled 'an act to prescribe the mode of proceeding in chancery.'"

And the question being put thereon,

It passed in the affirmative.

Thereupon, the house resolved itself into the committee of the whole house for the consideration of said bill,

Mr. Hopkins in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill to the house without amendment.

Which was then ordered to be engrossed for the third reading.

Mr. Thompson, by leave, offered the following resolution, to wit:

"*Resolved*, That when this house does adjourn, it will adjourn, to the second day of January next."

Mr. Hopkins moved to amend said resolution by striking out the words "to the second day of January next," and inserting "to half past two o'clock this afternoon."

And the question being put thereon,

It passed in the negative.

The question then recurred on the adoption of the resolution; and being put,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Capron, Hicks, Manahan, Masters, Messersmith, Palmer, Platt, Price, Thompson, Trowbridge, and Walker, (speaker)—12.

Those who voted in the negative were,

Messrs. Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, and Parsons—7.

Mr. Hopkins moved that the undermentioned bill be now taken up, to wit:

No. 2, (H.) "A bill concerning the time of commencing actions and for other purposes."

And the question being put thereon,

It was determined in the negative.

Mr. Hicks gave notice that he should on some future day ask leave to introduce a bill to establish a ferry across the Mississippi river.

Mr. Ellis, by leave, introduced the following resolution, to wit:

"*Resolved*, the honorable the council concurring herein, that the present session of the legislative assembly shall cease and determine on the day of January next."

Mr. Thompson moved that the resolution do lie on the table;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Capron, Crossman, Grant, Hicks, Hunkins, Manahan, Masters, Messersmith, Palmer, Platt, Thompson, and Trowbridge—13.

Those who voted in the negative were,

Messrs. Darling, Ellis, Hopkins, Parsons, Price and Walker (speaker)—6.

Mr. Hopkins gave notice that on some future day he should ask leave to introduce a bill relative to deeds for the conveyance of lands, having in view the shortening and simplifying them for the purpose of saving labor and expense.

Mr. Manahan moved that the house do now adjourn;

And the question being put thereon,

It passed in the affirmative.

And a division being called,

There were ayes 12, noes 5.

So the house adjourned.

TUESDAY, January 2, 1844.

The house was called to order by the clerk, when the blessing of heaven was invoked by the Rev. Mr. Bennett.

The clerk informed the house that the speaker elect was absent, and that it would be necessary to appoint a speaker, *pro tem.* —thereupon,

On motion of Mr. Hunkins,

Mason C. Darling was appointed speaker, pro tem., during the absence of the speaker elect.

The journal of the 29th ult., was then read.

Mr. Ellis presented the undermentioned petitions, and moved their reference to the committee on the judiciary, to wit:

The petition of J. B. Atkins and seventy-two others, inhabitants of Fond du Lac county, for the organization of said county for judicial purposes, and the location of the seat of justice;

The petition of Daniel W. Bromley and forty-one others, inhabitants of the same county, and for the same purpose;

The petition of sixteen others, inhabitants of the county of Fond du Lac, for the organization of said county, and the location of the seat of justice;

The petition of N. Perry and sixteen others, inhabitants of Taychedah, for the same purpose.

Mr. Agry presented the remonstrance of William Stewart and forty-five others, inhabitants of the county of Fond du Lac against the organization of said county for judicial purposes;

And moved its referrence to the judiciary committee.

And objection being made by Mr. Thompson against referring the several petitions and remonstrance to the committee on the judiciary,

The question was then put on referring the same to the said committee,

And passed in the affirmative.

Mr. Capron moved a call of the house;

Which was made, when the clerk reported that there were only thirteen members in attendance.

Mr. Hopkins, who had been absent during the call of the house appeared in his seat; when the speaker announced that a quorum of the house was present.

Further proceedings in the call of the house were then dispensed with.

Mr. Ellis presented the petition of David Jones and Erastus Baily, praying permission to erect a mill dam across the Pish-tego river, in Brown county;

Referred to the committee on corporations.

Mr. Platt presented the petition of W. W. Wyman, proposing to do the printing of the legislative assembly, accompanied by the guarantee of James Morrison and twelve others, for the faithful performance of the work;

And moved that the same do lie on the table, and be printed;

Which was agreed to.

Mr. Capron presented the petition of Joseph A. Haskins and eighty-seven others, inhabitants of the town of Geneva, praying for the formation of a new town, by the name of Bloomfield;

Referred to the committee on corporations.

Mr. Platt submitted the following report, to wit:

"The minority of the select committee, to whom was referred the bill providing for the election of a territorial printer, have had the same under consideration, and recommend that the said bill be indefinitely postponed, and that the substitute herewith submitted be adopted in its place. ALONZO PLATT,

Minority of said committee.

January 2, 1844."

The bill submitted in said report, No. 14, (H.) entitled "A bill to provide for the appointment of a printer to the legislative assembly of the territory of Wisconsin," and the said report,

Were ordered to lie on the table, and be printed.

Mr. Parsons, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 12, (H.) "A bill for an act amendatory to an act entitled 'an act to prescribe the mode of proceeding in chancery.'"

The speaker announced the said bill for a third reading,

Which was then read the third time, passed, and the title thereof agreed to.

Mr. Ellis, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on judiciary be directed to inquire into the expediency of so amending the revised statutes, as to allow the clerk of the board of supervisors to advertize delinquent land sold for taxes; to be advertized in the nearest regularly published newspaper in the same or adjacant county, instead of at Madison as is now provided by law in case there is no newspaper published in the county where such land lies."

On motion of Mr. Trowbridge,

The house resolved itself into the committee of the whole house, Mr. Thompson in the chair, for the consideration of bill No. 8, (C.) entitled "A bill to authorize the village of Racine to borrow money, and for other purposes."

After sometime spent therein, the committee rose and reported the said bill without amendment;

Which was then ordered to a third reading.

Mr. Agry, by leave, and agreeably to notice previously given, introduced a bill, to wit:

No. 15, (H.) "A bill for an act for the preservation of timber upon rivers and streams."

Which was read the first and second times.

Mr. Hicks, by leave, and agreeably to notice previously given, introduced a bill, to wit:

No. 16, (H.) "A bill to establish a ferry across the Mississippi river."

Which was read the first and second times.

Mr. Hopkins, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on territorial affairs be instructed to report to this house the amount of indebtedness of this territory, stating the times when, and for what purposes the several debts were made, and report at as early a day as practicable, so as to enable this house to determine whether a part or the whole of such debts should be paid, and make provision for the payment of all just debts against the territory."

On motion of Mr. Ellis,

Ordered, that the petition of the inhabitants of the county of Fond du Lac, presented to the legislature in the year 1841, praying for the organization of said county, be taken from the files and referred to the same committee to which several petitions were referred this morning on the same subject.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have concurred in resolution No. 11, (of this house,) 'Resolution relative to schools.'"

On motion of Mr. Agry,

The house resolved itself into the committee of the whole house, having under consideration bill

No. 2, (H.) "A bill concerning the time of commencing actions, and for other purposes."

Mr. Hopkins in the chair,

After some time spent therein, the committee rose and reported that they had made some progress in the bill, and desired leave to sit again thereon;

Which was granted.

Mr. Agry, by leave, introduced bill

No. 17, (H.) "A bill respecting real actions;"

Which was read the first and second times.

Mr. Platt, by leave, introduced the following preamble and resolutions, to wit:

No. 13, (H.) "Preamble and resolutions relative to the formation of a state government;"

Which were read the first and second times.

On motion of Mr. Hunkins,

The house adjourned.

WEDNESDAY, January 3, 1844.

Mr. Walker, the speaker, appeared and resumed the duties of the chair as the presiding officer of the house.

Petitions and a remonstrance were presented and referred as follows, to wit:

By Mr. Bartlett, the petition of Webster Pease, praying to be divorced from his wife Lucinda, accompanied by several affidavits;

Referred to the committee on the judiciary.

By Mr. Bartlett, the petition of the inhabitants of the town of Sharon, praying for relief, to enable them to hold a special election to fill vacancies in office in said town;

Referred to the committee on the judiciary.

By Mr. Capron, the petition of inhabitants of the village of Southport, praying that a part of Exchange street, in said village, be discontinued and vacated;

Also, a remonstrance of citizens of Southport, against vacating said street;

Referred to the committee on the judiciary.

By Mr. Hunkins, the petition of inhabitants of the county of Washington, praying for an act to enable said county to fill vacancies in office;

Referred to the committee on territorial affairs.

By Mr. Hunkins, the petition of inhabitants of the county of Washington, relative to the expenses paid to the county of Milwaukee, on account of being attached to said county for judicial purposes;

Referred to the committee on the judiciary.

Mr. Platt offered the following resolution, to wit:

"*Resolved*, That the chief clerk be directed to enter at length upon the journal of this house, the preamble and resolutions in relation to the formation of a state government, introduced into this house on yesterday by Alonzo Platt.

And the question being put on the adoption of said resolution,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Capron, Hicks, Platt, and Thompson—5.

Those who voted in the negative were,

Messrs. Bartlett, Darling, Ellis, Grant, Hopkins, Hunkins, Meeker, Olin, Parsons, Price, Trowbridge, and Walker, (speaker—12.

A message from the council, by their secretary:

"Mr. Speaker. The council have passed

No. 11. (H.) 'A bill for an act to authorize the collector of the town of Janesville to collect certain taxes,'

With amendments, in which amendments I am directed to ask the concurrence of this house."

On motion of Mr. Hopkins,

Ordered, that the vote of this house taken on yesterday, by which a resolution relative to the indebtedness of the territory was adopted, be reconsidered.

The said resolution was then amended by striking out the words "territorial affairs," and inserting the word "finance."

And the question being put on its adoption,

It passed in the affirmative.

So the said resolution was referred to the committee on finance.

Mr. Hunkins gave notice that on some future day he should ask

leave to introduce a bill to regulate the duties of highway commissioners, and for other purposes.

Mr. Agry, from the judiciary committee to which bill No. 9, (C.) was referred, entitled "A bill to amend the act to provide for the election of sheriffs, judges of probate, and justices of the peace, and for other purposes," by leave reported the same back without amendment.

Mr. Agry, from the same committee to which bill No. 5, (H.) was referred, entitled, "A bill to amend an act concerning the city of the Four Lakes," reported the same with an amendment;

Which bill was then read the second time.

Bills on their passage were announced, when

No, 18, (C.) "A bill to authorize the village of Racine to borrow money and for other purposes;"

Was read the third time, passed and the title thereof agreed to.

And the ayes and noes having been called for by Mr. Hicks, on the passage of the said bill.

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Darling, Ellis, Grant, Hopkins, Hunkins, Meeker, Olin, Parsons, Platt, Price, Thompson, Trowbridge, and Walker, (speaker)—16.

Those who voted in the negative were,

Messrs. Hicks and Messersmith—2.

The message from the council was taken up;

When the amendments of the council to bill

No. 11, (C.) "A bill for an act to authorize the collector of the town of Janesville to collect certain taxes;"

Were read and concurred in.

On motion of Mr. Trowbridge,

The house resolved itself into the committee of the whole house,

Mr. Agry in the chair, having under consideration

Bill No. 4, (H.) "A bill to change the time of holding the annual meetings of the several boards of county supervisors."

And after some time spent therein, the committee rose and reported the same with amendments;

Which were agreed to, and the bill ordered to be engrossed for a third reading.,

On motion of Mr. Agry,

The house resolved itself into the committee of the whole house,

Mr. Ellis in the chair,

Having under consideration bill No. 9, (C.) entitled

"A bill to amend the act to provide for the election of sheriffs, judges of probate, and justices of the peace, and for other purposes;"

And after some time spent therein, the committee rose and by their chairman reported the same with amendments;

Which were agreed to, and the bill ordered to a third reading.

On motion of Mr. Olin,

The house adjourned.

THURSDAY, January 4, 1844.

The Journal of yesterday was read and corrected.

The speaker laid before the house the petition of Solomon Juneau and John White, Esquires, and twelve hundred and eighteen others, relative to state government and the right of foreign born citizens to vote.

And the said petition having been read,

A motion was made by Mr. Hunkins, that the same be referred to the committee on territorial affairs;

When Mr. Platt moved to amend the motion to refer the petition to the committee on territorial affairs, by substituting the following:

"*Resolved*, For the purpose of giving to the petition all the advantages which can be conferred by this house at the present stage of the business, that the petition be referred to the joint committee of the two houses to whom was referred so much of the governor's message as relates to a state government."

Pending the question thereon, the following message was received from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 20, (C.) "A bill to repeal an act to establish the University of Wisconsin," and also,

No. 12, (H.) "A bill for an act amendatory of an act entitled 'an act to prescribe the mode of proceeding in chancery;'

The latter with an amendment, in which I am directed to ask the concurrence of this house."

The question was then put on the amendment moved by Mr. Platt to the motion of Mr. Hunkins,

And passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Capron, Hicks, Hopkins, Messersmith, Palmer, Platt, and Thompson—7.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Crossman, Darling, Ellis, Grant, Hunkins, Manahan, Masters, Meeker, Olin, Parsons, Price, Trowbridge, and Walker (spk'r)—15.

Mr. Thompson moved to amend the motion by striking out the words "territorial affairs," and inserting the word "judiciary."

When the Speaker decided that the chair had been in error in putting the question moved by Mr. Platt before the motion made by Mr. Hunkins, the question being one of privilege.

The question was then put on the motion of Mr. Hunkins,

And passed in the affirmative.

So the petition was referred to the committee on territorial affairs.

Mr. Masters, from the joint committee on enrolled bills, reported as correctly enrolled

"An act to authorize the collector of the town of Janesville to collect certain taxes, and for other purposes."

Which was signed by the speaker.

Mr. Hunkins, from the same committee, reported that the said committee did on yesterday present to the governor for his approval,

"An act to amend the act to incorporate the Fox river improvement company;" also,

"An act to authorize the register of deeds of the county of Grant to procure certain records in the office of the register of deeds of the county of Iowa."

Mr. Crossman, from the committee on engrossed bills, reported to be correctly engrossed,

No. 4, (H.) "A bill to change the time of holding the annual meetings of the several boards of county supervisors."

Mr. Agry, from the judiciary committee, to which a petition and remonstrance were referred, reported bill No. 18, (H.) which was read the first and second times, to wit:

"A bill to empower the president and trustees of the village of Southport to discontinue a street."

Mr. Agry, from the same committee, to which the petition of Webster Pease was referred, reported the following bill, to wit:

No. 19, (H.) "A bill to divorce Webster Pease from his wife Lucinda Pease."

Mr. Darling, from the committee to which the subject was referred, made the following report, to wit:

"The committee on territorial affairs, to whom was referred a resolution of the house of representatives instructing the committee to inquire into the expediency of levying a tax for the purpose of building a penitentiary, and for taking measures for that purpose, have attended to the duty assigned them, and report:

That however desirable it may be speedily to have a well regulated penitentiary in the territory, still your committee do not feel it their duty to recommend the erection of one by a special tax, at the present time. It will be recollected that the territory is already, to some considerable extent, involved in debt, to cancel which it has no other means than a resort to direct taxation. Under these circumstances, they are of the opinion that provision should *first* be made for the payment of its honest debts, before it should engage in any new projects which it is possible to dispense with.

They are further strengthened in this conclusion by the belief that congress will yet grant aid to the territory in accomplishing so desirable an object, and thus prevent the necessity of resorting to direct taxation.

With these views, they repectfully ask to be discharged from further consideration of the subject.

Respectfully submitted."

On motion of Mr. Hunkins,

The said report was accepted and the committee discharged from the further consideration of the subject.

Mr. Darling, from the judiciary committee, to which a petition was referred, by leave reported

No. 20, (H.) "A bill for the relief of the town of Sharon, in Walworth county,"

Which was read the first and second times."

Mr. Hunkins gave notice that he should, on a future day, by leave, introduce a bill to amend an act of the statutes entitled "an act regulating marriages."

Mr. Graut gave notice that he should, on a future day, by leave, introduce a bill to change the time of holding annual town meetings.

Bills on their passage being announced,

The undermentioned bills were severally read the third time, passed, and their titles agreed to, to wit:

No. 9, (C.) "A bill to amend the act to provide for the election of sheriffs, judges of probate, and justices of the peace, and for other purposes;"

No. 4, (H.) "A bill to change the time of holding the annual meetings of the several boards of county supervisors."

On motion of Mr. Agry,

The message from the council was taken up, when

The amendments made by the council to bill

No. 12, (H.) "A bill for an act amendatory of an act entitled 'an act to prescribe the mode of proceeding in chancery,'"

Were read and concurred in.

No. 20, (C.) "A bill to repeal an act to establish the University of Wisconsin,"

Was read the first and second times.

On motion of Mr. Hicks,

The house resolved itself into the committee of the whole house, for the consideration of bill

No. 18, (H.) "A bill to establish a ferry across the Mississippi river,"

Mr. Parsons in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the said bill without amendment.

On motion of Mr. Hicks,

Ordered, that said bill do lie on the table.

Mr. Hopkins moved that the house do now adjourn until half past two o'clock, P. M., when

Mr. Hunkins moved to adjourn;

And the question of adjournment being privileged, was first put on the motion of Mr. Hunkins,

And passed in the affirmative.

So the house adjourned.

FRIDAY, January 5, 1844.

Mr. Long, a member from the county of Iowa, appeared and took his seat.

The undermentioned petitions were severally presented and referred, as fallows, to wit:

By Mr. Hunkins, the petition of inhabitants of the town of New Berlin, praying for the construction of a bridge across the Milwaukee river, at Walker's Point;

Referred to the committee on internal improvements.

By Mr. Elmore, the petition of Ira Blood, G. W. Yearly, and one hundred and four others, praying for the same object;

Referred to the same committee.

By Mr. Birchard, the petition of fifty-three inhabitants of Wisconsin, praying for the same object;

Referred to the same committee.

By Mr. Tripp, the petition of inhabitants of the town of Geneva, praying for a division of said town;

Referred to the committee on corporations.

By Mr. Trowbridge, the petition of Seth Warner, and other citizens of school district No. 1, in the town of Rochester, praying for an act to enable said district to raise money to pay the debts of said district;

Referred to the committee on the judiciary.

By Mr. Platt, the petition of B. R. Sanders, and other citizens of the county of Grant, praying for the appointment of new commissioners to lay out a territorial road;

Referred to the committee on roads.

By Mr. Darling, the petition of Elbert Dickason, and two hundred and fifty other citizens of Wisconsin, praying for the passage of a memorial to congress, asking remuneration for property destroyed by the Winnebago Indians, accompanied by a letter from the secretary of war;

Referred to the judiciary committee.

The undermentioned petitions were severally presented, and ordered to lie on the table, to wit.

By Mr. Hicks, The petition of Thomas F. Dudley and others, of the county of Grant, praying for a ferry across the Mississippi river, at Boat-yard Hollow.

By Mr. Platt, the petition of citizens of the county of Grant, for the same object.

A message from the council, by their secretary:

"Mr. Speaker: The council have passed

No. 5, (C.) 'Memorial to congress for a donation of land to improve the Grant river slough;' also,

No. 15, (C.) 'A bill to repeal 'an act entitled an act for the relief of insolvent debtors,' approved January 13, 1840;' also,

No. 23, (C.) 'A bill to define the boundaries of certain counties therein named, and for other purposes;' also,

No. 19, (C.) 'A bill to amend an act entitled 'an act respecting judgments in criminal cases and the execution thereof.'"

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, which were signed by the speaker, to wit:

"An act to amend an act entitled 'an act to prescribe the mode of proceeding in chancery;'"

"An act to authorize the village of Racine to borrow money, and for other purposes."

The message from the council was taken up, when the undermentioned bills and memorial were severally read the first and second times, to wit:

No. 5, (C.) "Memorial to congress for a donation of land to improve the Grant river slough;"

No. 15, (C.) "A bill to repeal an act entitled 'an act for the relief of insolvent debtors,' approved January 13, 1840;"

No. 19, (C.) "A bill to amend an act entitled 'an act respecting judgments in criminal cases, and the execution thereof;"

No. 23, (C.) "A bill to define the boundaries of certain counties therein named, and for other purposes."

On motion of Mr. Ellis,

Ordered, that bills Nos. 15 and 19 aforesaid, be referred to the committee on the judiciary.

On motion of Mr. Platt,

The house took up preamble and resolution

No. 13, (H.) "Preamble and Resolution relative to the formation of a state government."

Mr. Platt moved to amend said resolution by striking out the first, second, third, and part of the fourth lines in the resolution, and substituting the following in lieu thereof, to wit:

"*Resolved*, by the house of representatives, that the committee on territorial affairs, to whom was referred the petition of the inhabitants of Milwaukee county in relation to a state government, be requested, if in their judgment they deem it proper, to report a bill, in which the following provision shall be incorporated."

Pending the question thereon, a message from the governor, by his private secretary, Mr. Charles Doty, was received, to wit:

"Mr. Speaker: I am directed by the governor to deliver to this house a message in writing."

Mr. Ellis moved that the said preamble and resolutions, and the amendments proposed by Mr. Platt be referred to the committee on territorial affairs.

Mr. Hunkins moved that the said preamble, resolutions and amendments, do lie on the table.

Mr. Elmore moved to amend the motion made by Mr. Hunkins, by adding thereto the words, "until the 4th day of July next;"

Which amendment was accepted by Mr. Hunkins.

And the question being put on the adoption of the motion made by Mr. Hunkins, it passed in the affirmative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Masters, Meeker, Olin, Parsons, Price, Trowbridge and Walker (speaker)—17.

Those who voted in the negative were,

Messrs. Capron, Hicks, Hopkins, Messersmith, Palmer, Platt, Thompson and Tripp—8.

On motion of Mr. Hunkins,

Ordered, that the majority and minority reports of the select committee relating to the accounts of Daniel Baxter, be now taken up.

On motion of Mr. Hunkins,

Ordered, that the said reports with the accompanying documents be printed.

The speaker laid before the house the message of the governor this day received, to wit:

"*To the House of Representatives:*

I have this day approved and deposited in the office of the secretary of the territory a bill entitled

'An act to authorize the collector of the town of Janesville to collect certain taxes and for other purposes.'

J. D. DOTY.

Executive Department,
Wisconsin, Jan. 5, 1844."

Mr. Elmore moved that resolution No. 12, (H.) entitled "Resolution relative to an adjournment of the assembly without day," be taken up.

And the question being put thereon,

It passed in the negative.

And a division being called,

There were ayes 6, noes 12.

On motion of Mr. Parsons,

Ordered, that the following entitled resolution be taken up and referred to the committee of the whole house, to wit:

No. 4, (H.) "Resolution to appoint an agent to receive an appropriation to replenish the library."

On motion of Mr. Trowbridge,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 18, (H.) "A bill to empower the president and trustees of the village of Southport to discontinue a street.

On motion of Mr. Hicks,

Ordered, that the undermentioned bill be taken up and referred to the committee of the whole house, to wit:

No. 16, (H.) "A bill to establish a ferry across the Mississppi river."

Thereupon the house resolved itself into the committee of the whole house, for the consideration of said bills, No. 16 and 19, and resolution No. 4,

Mr. Birchard in the chair.

And after some time spent therein, the committee rose and by their chairman reported said bill No. 16, and resolution No. 4, with an amendment to each, and bill No. 19 without amendment;

Which report, was concurred in by the house, and said bills and resolution severally ordered to be engrossed for the third reading.

On motion of Mr. Platt,

Ordered, that the undermentioned bill be taken up, to wit:

No. 3, (H.) "A bill to provide for assessing and collecting the county revenue for the county of Grant," and

On motion of Mr. Platt,

Ordered, that said bill be referred to the committee on finance.

Mr. Elmore, by leave, introduced the following resolution, to wit:

Resolved, by the council and house of representatives, that the present session of the legislative assembly shall cease and determine on Thursday, the 25th day of January, instant."

Mr. Thompson moved to amend said resolution by striking out the figures "25th," and inserting in lieu thereof the figures "31st."

Mr. Platt moved that the said resolution and amendment do lie on the table;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Capron, Crossman, Grant, Masters, Messersmith, Meeker, Palmer, Platt, Tripp, and Trowbridge—12.

Those who voted in the negative were,

Messrs. Bartlett, Darling, Ellis, Elmore, Hicks, Hopkins, Long, Parsons, Price, Thompson, and Walker, (speaker)—11.

On motion of Mr. Bartlett,

Ordered, that the undermentioned bill be now taken up and referred to the committe of the whole house, to wit:

No. 20, (H.) "A bill for the relief of the town of Sharon, in Walworth county."

Thereupon, the house resolved itself into the committee of the whole house for the consideration of said bill,

Mr. Grant in the chair.

And after a short time spent therein, the committee rose, and by their chairman reported said bill without amendment;

Which was then ordered to be engrossed for a third reading.

On motion of Mr. Messersmith,

Ordered, that the undermentioned bill be taken up and re-committed to the committee of the whole house, to wit:

No. 13, (C.) "A bill to incorporate the trustees of the village of Mineral Point."

On motion of Mr. Capron,

Ordered, that the undermentioned bill be taken up and referred to the committee of the whole house, to wit:

No. 19, (H) "A bill to divorce Webster Pease from his wife Lucinda Pease."

Thereupon, the house considered said bills in committee of the whole,

Mr. Darling in the chair.

Pending the report of the committee, the secretary of the council being announced,

The speaker took the chair, when the following message was received, to wit:

"Mr. Speaker: The council have passed

No. 10, (H.) 'A bill to organize the county of Sauk, for county, judicial, and other purposes,'

With amendments, in which I am directed to ask the concurrence of this house."

The committee then resumed its session, and after a short time spent therein, rose, and by their chairman reported back to the house said bills with amendments to each, in which the house concurred.

Bill No. 13, (C.) was ordered to the third reading.

Pending the question on ordering bill No. 19, (H.) to be engrossed for the third reading,

Mr. Elmore moved that said bill do lie on the table.

Which was disagreed to.

The reading of the petition of Webster Pease and accompanying affidavits having been called for, were read by the clerk.

A call of the house was made, when Messrs. Agry and Manahan were reported to be absent.

On motion of Mr. Platt,

Mr. Manahan was excused from attendance.

The speaker having informed the house of the illness of Mr. Agry,

On motion of Mr. Hunkins,

Further proceedings in the call of the house were dispensed with.

The question was then put on ordering said bill No. 19, (H.) to be engrossed for the third reading,

And passed in the affirmative.

And the ayes and noes having been called for by Mr. Elmore,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, Trowbridge, and Walker (speaker)—22.

Those who voted in the negative were,

Messrs. Elmore and Hicks—2.

On motion of Mr. Crossman,

The message from the council was taken up; when

The amendments made by the council to bill No. 10, (H.) were read and concurred in, entitled

"A bill to organize the county of Sauk for county, judicial, and other purposes."

On motion of Mr. Parsons,

The house adjourned.

SATURDAY, January 6, 1844.

The undermentioned petitions and remonstrance were severally presented and referred, as follows, to wit:

By Mr. Crossman, the petition of the county commissioners of the county of Green, praying for the passage of an act to enable the register of deeds of said county to procure certain copies of records from the counties of Milwaukee and Iowa;

Referred to the following select committee, to wit: Messrs. Crossman, Messersmith, and Palmer.

By Mr. Olin, the petition of R. Blount and eighty other citizens from the county of Milwaukee, on the canal grant, praying for the passage of an act to suspend the payment of the purchase money of the canal lands;

Referred to the committee on territorial affairs.

By Mr. Trowbridge, the remonstrance of Shubal R. Lewis and other citizens of the county of Racine, against the annexation of any portion of eastern Burlington to any other town or towns;

Referred to the committee on corporations.

By Mr. Messersmith, the petition of Charlotte E. Coghlin, praying for a divorce;

Referred to the committee on the judiciary.

By Mr. Masters, the petition of Silas D. Stiles and other citizens from the counties of Jefferson and Dodge, praying that a territorial road may be laid out from the village of Lake Mills, in Jefferson county, to Beaver Dam, in Dodge county;

Referred to the committee on roads.

Also, a petition from citizens of the counties of Jeffersen and Walworth, relating to the discontinuance of a certain territorial road;

Which was also referred to the same committee.

By Mr. Grant, the petition from citizens of the town of Burlington, in the county of Racine, for the formation of a new town, to be called Bloomfield;

Referred to the committee on corporations.

Mr. Caprou gave notice that on to-morrow, or some future day, he should ask leave to introduce a bill, entitled

"A bill to authorize the free inhabitants of Wisconsin (including all foreigners) to vote on a certain day for delegates to form a state government."

Mr. Long, from the committee on enrolled bills, reported that they did on this day present to the Governor for his approval,

"An act to amend an act to prescribe the mode of proceeding in chancery;" also

"An act to authorize the village of Racine to borrow money, and for other purposes."

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed, the following bills and resolution, to wit:

No. 19, (H.) "A bill to divorce Webster Pease from his wife Lucinda Pease;"

No. 18, (H.) "A bill to empower the president and trustees of the village of Southport to discontinue a street;"

No. 16, (H.) "A bill to establish a ferry across the Mississippi river;"

No. 20, (H.) "A bill for the relief of the town of Sharon, in Walworth county;"

No. 4, (H.) " Resolution to appoint an agent to receive an appropriation to replenish the Library;"

Mr. Hunkins, from the committee on internal improvement, to which several petitions had been referred, reported the following bill, which was read the first and second times, to wit:

No. 21, (H) "A bill to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee."

Bills on their passage being announced by the speaker, the undermentioned bills and resolution were severally read the third time, passed, and the titles thereof agreed to, to wit:

No. 13, (C.) "A bill to incorporate the trustees of the village of Mineral Point;"

No. 16, (H.) "A bill to establish a ferry across the Mississippi river;"

No. 18, (H.) A bill to empower the president and trustees of the village of Southport to discontinue a street;"

No. 19, (H) "A bill to divorce Webster Pease from his wife, Lucinda Pease;"

No. 4, (H.) "Resolution to appoint an agent to receive an appropriation to replenish the library."

On the passage of bill No. 19, aforesaid, the ayes and noes having been called for by Mr. Elmore,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Buchard, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, Trowbridge, and Walker (spk'r)—23.

Those who voted in the negative, were

Messrs. Elmore, Hicks, and Manahan—3.

Bill No. 20, (H.) "A bill for the relief of the town of Sharon, in Walworth county," was read the third time, and

On motion of Mr. Darling,

Was amended, by the unanimous consent of the house, by inserting the word "now" between the words "may" and "exist," in the first section;

And was then passed, and the title thereof agreed to.

Mr. Palmer gave notice that on some future day he should ask leave to introduce a bill to prohibit the circulation of bills of foreign banks within the limits of the territory of Wisconsin.

On motion of Mr Ellis,

The house resolved itself into the committee of the whole house for the consideration of bill

No. 13, (H.) "A bill to set off the town of Howard, in the county of Brown;"

Mr. Long in the chair;

And after a short time spent therein, the committee rose, and by their chairman reported that they had made some progress therein, and desired leave to sit again thereon;

Leave was accordingly granted.

A message from the governor, by his private secretary, Mr. Charles Doty;

"Mr. Speaker: I am directed by the governor to deliver to this house a message in writing."

On motion of Mr. Darling,

Ordered, that the undermentioned bill be taken up and considered in the committee of the whole house, to wit:

No. 5, (C.) "A bill to provide for the election of a printer to the legislative assembly."

On motion of Mr. Platt,

Ordered, that the undermentioned bill be referred to the same committee, to wit:

No. 14, (H.) "A bill to provide for the appointment of a printer to the legislative assembly of the territory of Wisconsin."

Thereupon, the house resolved itself into the committee of the whole house, for the consideration of the aforementioned bills;

Mr. Olin in the chair;

And after a short time spent therein, the committee rose, and by their chairman reported said bills back to the house without amendment.

Pending the question on ordering said bill No. 5, (C.) to the third reading,

Mr. Platt moved to amend said bill by striking out all after the enacting clause, and inserting the following, to wit:

Section 1. That in order more certainly to secure skill, despatch and responsibility, in the execution of the printing of the legislative assembly, the governor shall nominate, and by and with the advice of the legislative council shall appoint a printer to perform the necessary printing for the legislative assembly, and who shall be known and styled "the printer to the legislative assembly of Wisconsin."

Sec. 2. The said officer so appointed shall execute to the territory of Wisconsin a bond in the penal sum of thousand

dollars, with at least two sufficient freeholders as sureties, to be approved of by the presiding officers of the council and house of representatives, conditioned for the faithful performance of the duties enjoined upon him by this act, which bond shall be deposited with the clerk of the supreme court for safe keeping.

Sec. 3. That the said "printer to the legislative assembly," shall procure good and sufficient type and other materials for executing the printing of the laws, journals, and all other papers and documents that may be ordered by the legislative assembly, or either branch thereof, and keep the same at the town of Madison, and to be at all times in readiness to execute the printing aforesaid in a neat and workmanlike manner, and with the utmost despatch.

Sec. 4. That the said printer shall have the laws, journals, bills, reports, or other documents, executed in the following manner, to wit: the laws and journals printed in medium octavo form, on a neat long primer type; the bills to be printed in folio foolscap, on small pica type, each page to contain not less than twenty-five of solid matter, of the usual length, with at least a pica blank between each line; the reports, messages, and other documents, with the exception of such tabular work as may not admit of it, printed on type of the same size, and contain as much solid matter in each page, as the laws and journals.

Sec. 5. The said printer shall print such number of copies of the laws and journals as may be directed by law, or resolutions of the legislative assembly, and have the same delivered over to the superintendent of territorial property within days after the adjournment of each session of the legislative assembly, unless further time be allowed, and shall have executed and delivered over to the clerks of the council and house of representatives, such number of copies of reports, bills, and other documents, as may be directed by the council or house of representatives. And the manner or form of printing the same shall be varied whenever directed by the legislative assembly.

Sec. 6. The said printer shall print, fold, press, and stitch, the laws, journals, reports, and documents, and all other printing which may be ordered by the legislative assembly, for which he shall receive the compensation hereinafter provided.

Sec. 7. The said printer shall receive for his services the following prices: fifty-six cents per thousand ems for composition, and

seventy-five cents per thousand ems for rule and figure work; fifty-six cents per token of two hundred and forty impressions, for press work; for folding, pressing, and stitching the laws and journals, twenty-five cents per copy; to be paid by the secretary out of any funds that may be appropriated by congress to defray the expenses of the legislative assembly.

Sec. 8. It shall be the duty of the superintendent of territorial property to examine and compare the journals and laws, when they shall be delivered to him by the printer, and if the same be correctly printed, and executed in a neat and workmanlike manner, he shall give a receipt to the printer, specifying the number of copies delivered, and the amount of compensation to which the printer is entitled, agreeable to the provisions of the seventh section of this act; which receipt shall be presented to the legislative assembly before any appropriation shall be made to said printer.

Sec. 9. That in case of the neglect or inability of the said printer to print the laws and journals within the time limited by this act, the superintendent of territorial property is hereby authorized and required to employ another printer to print, fold, press, and stitch the same; and the excess in the account of such printer so employed for executing such work, above what is herein allowed to the printer to the legislative assembly, shall be charged to said printer to the legislative assembly, guilty of such negligence or delay.

Sec. 10. That the term of office of said printer so appointed, shall be for two years, and until his successor is appointed and qualified; except the printer first appointed under this law, who shall hold his office until the expiration of the session of the legislature in the years 1845-6.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Capron, Messersmith, Palmer, and Platt—4.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Price, Thompson, Tripp, Trowbridge, and Walker (speaker)—22.

Mr. Hicks moved to amend the bill by striking out all after sec-

tion one, and inserting the same amendment moved by Mr. Platt, except the first section;

And pending the question thereon,

Mr. Thompson moved that said bill and amendment do lie on the table until Tuesday next;

And the question being put thereon, it passed in the negative;

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Elmore, Hopkins, Messersmith, Olin, Platt, Price, Thompson, and Tripp—10.

Those who voted in the negative, were

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Meeker, Palmer, Parsons, Trowbridge, and Walker (spk'r.)—16.

The question then recurred on the motion of Mr. Hicks;

And being put, it passed in the negative;

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative, were

Messrs. Elmors, Hicks, Hopkins, and Platt—4.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Price, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—22.

The question was then put on ordering the said bill to a third reading;

And it passed in the affirmative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long. Manahan, Masters, Meeker, Parsons, Price, Trowbridge, and Walker (spk'r)—16.

Those who voted in the negative, were

Messrs. Capron, Elmore, Hicks, Hopkins, Messersmith, Olin, Palmer, Platt, Thompson, and Tripp—10.

The speaker laid before the house the message of his excellency the governor, received this morning, notifying the house that he had on this day approved a bill, entitled

"An act to prescribe the mode of proceeding in chancery;"

Also, a communication of David Bonham, enclosing the pro-

ceedings of a meeting held on the canal grant, relating to the Milwaukee and Rock river canal, and the lands granted for the construction of said canal;

Which was laid on the table.

Mr. Ellis, by leave, offered the following resolution, to wit:

"*Resolved*, That the chief clerk in making up the proceedings, except from the copy of the journal for the printer of the daily slips, a copy at length of bill No. 14, moved as an amendment to bill No. 5, by Mr. Platt, and also that part of No. 14, moved as an amendment to No. 5, by Mr. Hicks."

And objection being made to said resolution,

Mr. Ellis asked leave to withdraw the same;

When Mr. Hicks said he should offer the same resolution, and call for the ayes and noes on the question of its adoption;

And pending the question on granting leave to Mr. Ellis to withdraw the said resolution,

Mr. Thompson moved that the house do now adjourn;

And the question being put thereon,

It passed in the affirmative;

And a division being called

There were ayes 14, noes not counted.

So the house adjourned.

MONDAY, January 8, 1844.

Mr. Hicks moved that the journal of Saturday be amended in the proceedings relative to a resolution offered by Mr. Ellis, to read as follows, to wit:

"When Mr. Hicks said he should move to have said resolution spread upon the journal."

And the question being put thereon, it passed in the negative.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed No. 15, (C.) 'Resolu-

tion directing the select committee therein named to report,' in which I am directed to ask the concurrence of this house."

The undermentioned petitions were severally presented and referred, as follows, viz:

By Mr. Hunkins: the petition of Patrick Rogan and other citizens of the county of Jefferson, for an act to lay out a territorial road from Watertown, in said county, to Madison;

Referred to the committee on roads.

By Mr. Masters: the petition of William C. Wright and other citizens of the towns of Jefferson and Oakland, praying that a portion of the town of Jefferson be set off and attached to the town of Oakland;

Referred to the committee on corporations.

Mr. Hunkins also presented three petitions of citizens of the county of Milwaukee for the construction of a bridge across the Milwaukee river at Walker's Point;

Which were ordered to lie on the table.

Mr. Birchard, by leave, offered the following resolution, which was adopted, to wit:

Resolved, That the treasurer of the territory report to the house of representatives the amount of duplicate receipts remaining in his hands, and not delivered up to the secretary of the territory, which were delivered to him in pursuance of the provision of an act entitled "an act to authorize the issuing of drafts or bills for the payment of the expenses of the present session of the legislature," approved February 15, 1842, designating by whom such duplicate receipts were executed, respectively, the respective amounts of each, and for what purpose issued.

Mr. Crossman, from the select committee to which a petition on the subject had been referred, reported the undermentioned bill, to wit:

No. 22, (H.) "A bill to authorize the register of deeds of the county of Green to procure certain copies of records in the offices of the register of deeds of Milwaukee and Iowa counties;"

Which was read the first and second time.

Mr. Long, from the committee on enrolled bills, reported that they did this day present to the governor for his approval,

"An act to amend an act to provide for the election of sheriffs, judges of probate, and justices of the peace, and for other purposes."

Mr. Agry, from the committee on the judiciary, to which was referred the petition of Charlotte E Coghlan, praying for a divorce from her husband William Coghlan, reported that the prayer of the petitioner ought not to be granted, and moved that the report be accepted, and the committee discharged from the further consideration thereof.

Pending the question on adopting the report of the committee,

Mr. Hicks moved that the petition and report do lie on the table;

Which was disagreed to.

Mr. Hicks then moved that the petition and report be referred to the committee of the whole house;

And the question being put thereon,

It passed in the affirmative.

A division being called, there were ayes 14, noes not counted.

A message from the council by their secretary:

"Mr. Speaker: The council have passed resolution No. 14, (C.) 'Resolution inquiring of the select committee on state government when they will report;' and also

No. 4, (H) 'A bill to change the time of holding the annual meetings of the several boards of county commissioners,' with an amendment, in which I am directed to ask the concurrence of this house.

The council have appointed Messrs. Newland and Barber a new committee of conference on the disagreement of the two houses on the amendment of this house to resolution

No. 11, (C.) 'Resolution relative to the selection of seminary lands.'

And ask another conference with the house of representatives."

Mr. Ellis, from the committee on corporations, to which a petition was referred, reported the undermentioned bill, to wit:

No. 23, "A bill to authorize David Jones and Erastus Bailey to maintain a dam across the Pish-te-go river;"

Which was read the first and second times.

Bills on their third reading were announced by the speaker, when

The undermentioned bill was read the third time, to wit:

No. 5, (C.) "A bill to provide for the election of a printer to the legislative assembly;" and,

On motion of Mr. Darling,

Was amended by the unanimous consent of the house by prefixing an enacting clause thereto;

And was then passed, and the title thereof agreed to.

The ayes and noes having been called for by Mr. Platt, on the passage of the said bill,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Parsons, Trowbridge, and Walker (speaker)—15.

Those who voted in the negative were,

Messrs. Capron, Elmore, Hicks, Hopkins, Messersmith, Olin, Palmer, Platt, Price, Thompson, and Tripp—11.

The house proceeded to consider the unfinished business of Saturday, when the undermentioned bill, to wit:

No. 14, (H.) "A bill to provide for the appointment of a printer to the legislative assembly of the territory of Wisconsin," was,

On motion of Mr. Parsons,

Ordered to lie on the table.

The question was then put on granting leave to Mr. Ellis to withdraw the resolution offered by him on the 6th inst. relating to printing in the daily slips the several amendments offered by Messrs. Platt and Hicks to bill No. 5, (C.)

And it passed in the affirmative.

The message from the council was taken up, when

On motion of Mr. Ellis,

The undermentioned rosolution was amended by striking out the word "Tuesday," and inserting "Thursday" in lieu thereof, and was then adopted, to wit:

No. 15, (C.) "Resolution directing the select committee therein named to report,"

And is as follows:

"*Resolved*, the house of representatives concurring, that the joint select committee appointed under the resolution of April 15th, 1843, to ascertain the terms on which a settlement could be effected with the Milwaukee and Rock River Canal Company, be directed to report on Tuesday next."

The amendment to bill

No. 4, (H.) "A bill to change the time of holding the annual meetings of the several boards of county supervisors,"

Was read and concurred in.

On motion of Mr. Darling,

Ordered, that the message relating to resolution No. 11, (C.) "Resolution relative to the selection of seminary lands," do lie on the table.

Mr. Platt gave notice that he should, on a future day, introduce an address to the secretary of the treasury, praying that he will direct a different manner of settlement of the accounts of the marshal of this territory.

On motion of Mr. Elmore,

The house took up resolution

No. 12, (H.) "Resolution relative to an adjournment of the assembly without day;" and

On motion of Mr. Elmore,

The blank therein was filled with the word "twenty."

Mr. Darling moved to amend the resolution by striking out the word "next," after the word "January."

Which was disagreed to.

On motion of Mr. Elmore,

Ordered, that said resolution do lie on the table until Monday next.

Mr. Ellis, by leave, offered the following resolution, to wit:

No. 15, (H.) "Resolution relative to the adjournment of the present session of the legislative assembly:

"*Resolved*, That the present session of the legislative assembly, if the council concur, shall cease and determine on the first day of February next."

And the question being put on the adoption thereof,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Massrs. Bartlett, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Long, Olin, Parsons, Platt, Price, Thompson, and Walker (speaker)—15.

Those who voted in the negative were,

Messrs. Agry, Capron, Hicks, Hunkins, Manahan, Masters, Messersmith, Meeker, Palmer, Tripp and Trowbridge—11.

On motion of Mr. Platt,

The house resolved itself into the committee of the whole house, having the following memorial and bill under consideration, to wit:

No. 5, (C.) "Memorial to congress for a donation of land to improve the Grant river slough;"

No. 20, (C.) "A bill to repeal an act to establish the university of Wisconsin;"

No. 23, (C.) "A bill to define the boundaries of certain counties therein named, and for other purposes."

Mr. Meeker in the chair.

After some time the committee rose and reported the said memorial and bill No. 20, without amendment, and asked leave to sit again for the consideration of bill No. 23.

Memorial No. 5, (C.) was ordered to a third reading.

On motion of Mr. Hopkins,

Ordered, that bill No. 20 do lie on the table.

Leave was granted to the committee to sit again for the consideration of bill No. 23.

Mr. Agry, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, That the judiciary committee be directed to inquire into the expediency of so altering the existing law relating to township and county government as to admit of the annual meeting of the board of supervisors of the several counties at some time other than on the first Tuesday of September, and to report by bill or otherwise."

On motion of Mr. Ellis,

Ordered, that the undermentioned bills be now considered in the committee of the whole house, to wit:

No. 9, (H.) "A bill respecting the office of register of deeds for the county of Brown;"

No. 13, (H.) "A bill to set off the town of Howard, in the county of Brown."

On motion of Mr. Palmer,

Ordered, that the undermentioned bill be referred to the same committee, to wit:

No. 5, (H.) "A bill to amend an act concerning the City of the Four Lakes."

The house then resolved itself into the committee of the whole house on the said bills,

Mr. Messersmith in the chair;

And after some spent therein, the committee by their chairman reported Nos. 5 and 13 with, and No. 9 without amendment.

Bill No. 9 was ordered to be engrossed for a third reading.

The question was then put on agreeing to the amendment made by the judiciary committee, and recommended by the committee of the whole house to bill No. 5, (which was to strike out the enacting clause,)

And decided in the affirmative.

So the bill was negatived.

The amendments to bill No. 13, were then agreed to, and the bill ordered to be engrossed.

Mr. Ellis offered the following resolution, which,

On motion of Mr. Palmer,

Was ordered to lie on the table, to wit:

"*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of repealing the act concerning the City of the Four Lakes, approved April 15th, 1843."

Mr. Long, from the committee on enrolled bills, reported "An act to organize the county of Sauk" to be correctly enrolled;

Which was signed by the speaker.

On motion of Mr. Trowbridge,

The house adjourned.

TUESDAY, January 9, 1844.

Mr. Trowbridge presented the petition of S. Doolittle and other citizens of the town of Southport, praying the passage of a law granting to Jared Lake the privilege of extending a wharf into Lake Michigan;

Which was referred to the committee on incorporations.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 15, (H) 'Resolution relative to the adjournment of the present session of the assembly,' with an amendment, in which I am directed to ask the concurrence of this house;

And have concurred in the amendment of this house to

No. 15, (C.) 'Resolution directing the select committee therein named to report;'

And have passed

No. 4, (C.) 'Memorial to congress praying for the evacuation of Fort Crawford;' also,

No. 22, (C.) 'A bill to amend an act concerning notaries public,' in which I am directed to ask the concurrence of this house.

The governor has notified the council that he did on the 18th December ult., approve and sign

'An act giving to Henry, *alias* Henry Tutt, the name of Henry Early;' and

'A memorial to congress for the improvement of the Fox and Wisconsin rivers;' and also, on the 20th of December,

'Memorial for a re-appropriation of certain monies to complete the light house on Grassy Island, near the mouth of Fox river;' and also, on the 27th of December,

'An act to enable school district number four, in the town of Janesville, to levy a tax for the purpose of building or purchasing a school house;' and also, on the 3d day of January inst.,

'An act to amend the act to incorporate the Fox River Improvement Company;' and

'An act to authorize the register of deeds of the county of Grant, to procure certain records in the office of the register of deeds of the county of Iowa;' and also, on the 6th of January inst.,

'An act to authorize the village of Racine to borrow money and for other purposes;'

And that he did deposite the same severally in the office of the secretary of the territory.

The council have also passed

No. 20, (H.) 'A bill for the relief of the town of Sharon, in Walworth county.' "

Mr. Ellis, by leave, introduced the following resolution, to wit:

No. 16, (H.) 'Resolution relative to the extinguishment of the Indian title to lands therein mentioned;'

Which was read the first and second time.

Mr. Masters introduced the following resolution, viz:

Resolved, That the committee on incorporations in the investigation of the subject relating to the Wisconsin Marine and Fire

Insurance Company, be authorized (if they deem it necessary) to summons witnesses and to administer oaths;

Which was adopted.

Mr. Elmore, at the request of Mr. Hicks, moved to reconsider the vote by which the house refused on yesterday to amend the journal.

The speaker decided that the hour devoted to morning business not having expired, the motion would not be strictly in order at this time.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed,

No. 9, (H.) "A bill for an act respecting the office of the register of deeds of Brown county."

Mr. Darling, from the committee on territorial affairs, to whom was referred a petition of citizens of Washington county, praying for the passage of a law, authorizing them to hold a special election to elect a clerk of the board of commissioners, a register of deeds, and one school commissioner, to fill vacancies in those several offices, made the following report, to wit:

"That from a careful examination of the law, it appears that the county commissioners already have authority to fill the vacancies of clerk and register until the next annual election; and that a majority of school commissioners can perform all duties of that board. Your committee, therefore, are of the opinion that the granting of the prayer of the petitioners would be subjecting the county to unnecessary expense, and they therefore report, that it is inexpedient to legislate upon the subject, and ask to be discharged from its further consideration.

Respectfully submitted, by order of the committee,

M. C. DARLING, Chairman."

Which report,

On motion of Mr. Darling,

Was laid on the table.

Mr. Darling, from the same committee, to which a petition on the subject had been referred, reported the following bill, to wit:

No. 24, (H.) "A bill in relation to the qualification of voters for state government and for the election of delegates to form a state constitution;"

Which was read the first and second time.

Mr. Platt gave notice that he would at the proper time, offer

amendments to the said bill as reported by the committee on territorial affairs, which shall authorize the people of this territory, including all free white male inhabitants, wherever born, to vote at the next general election, for or against the formation of a state government.

Mr. Long, from the committee on enrolment, reported the undermentioned bills to be correctly enrolled, to wit:

No. 4, (H.) "A bill to change the time of holding the annual meeting of the several boards of county supervisors;"

No. 5, (C.) "A bill to provide for the election of a printer to the legislative assembly;"

Which were then signed by the speaker.

The speaker laid before the house a communication from Alexander Mitchell, secretary of the Wisconsin Marine and Fire Insurance Company, which was read; and

On motion of Mr. Darling,

Referred to the committee on corporations. [SEE APPENDIX.]

Bills, &c. on their third reading being announced by the speaker, when memorial

No. 5, (C.) was read the third time, passed, and the title agreed to, to wit:

"Memorial to congress for a donation of land to improve the Grant river slough."

The undermentioned bill was read the third time, and

On motion of Mr. Ellis,

Ordered, to lie on the table, and be made the special order of the day, for Tuesday next, to wit:

No. 9, (H.) "A bill respecting the office of the register of deeds for the county of Brown."

Mr. Hicks, by leave, introduced the following memorial, which was read the first and second times, to wit:

No. 3, (H.) "Memorial to congress asking for a reduction on letter postage, and for the abolishment of the franking privilege."

The message from the council was taken up;

When the undermentioned bill and memorial were severally read the first and second time, to wit:

No. 32, (C.) "A bill to amend an act entitled an act concerning notaries public;"

No. 4, (C.) "Memorial to congress, praying for the avacuation of Fort Crawford;"

No. 15, (H.) "Resolution relative to the adjournment of the present session of the assembly," and the amendment thereto made by the council, were read;

When Mr. Olin moved that the same do lie on the table;

And the question being put,

It passed in the affirmative.

And a division being called, there were ayes 15, noes not counted.

Mr. Long from the committee on enrollment, reported as correctly enrolled the following entitled bill, which was signed by the speaker, to wit:

No. 13, (C.) "A bill to incorporate the trustees of the village of Mineral Point."

The hour devoted to morning business having expired,

Mr. Elmore renewed the motion made by him this morning, to reconsider the vote by which the house refused on yesterday to amend the journal at the instance of Mr. Hicks.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Agry, Hopkins, Masters, Palmer, Platt, Price, and Thompson—7.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Capron, Darling, Ellis, Elmore, Grant, Hunkins, Long, Manahan, Meeker, Olin, Parsons, Tripp, Trowbridge, and Walker (speaker)—16.

Mr. Hicks, by leave, offered the following resolution, to wit:

"*Resolved*, That no motion or question not entertained by the house, or any remarks of any member in debate, be entered upon or make any part of the journal;"

And the question being put, on the adoption thereof,

It passed in the negative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Elmore, Hicks, Palmer, Platt, and Thompson—5.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Darling, Ellis, Grant, Hopkins, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Price, Tripp, Trowbridge, and Walker, (speaker)—18

Mr. Crossman, by leave, and agreeably to previous notice given, introduced the following entitled bill, which was read the first and second times, and

On motion of Mr. Darling,

Was referred to the committee on the judiciary, to wit:

No. 25, (H.) "A bill to incorporate the first congregationalist church and society in Madison."

On motion of Mr. Palmer,

Ordered, that the undermentioned resolution be taken up, to wit:

"*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of repealing the act concerning the City of the Four Lakes, approved April 15th, 1843."

And the question being put, on the adoption thereof,

It passed in the affirmative.

On motion of Mr. Palmer,

Ordered, that the undermentioned bill, be referred to the committee of the whole house, to wit:

No. 22, (H.) "A bill to authorize the register of deeds of the county of Green to procure certain copies of records in the office of the register of deeds of Milwaukee and Iowa counties,"

On motion of Mr. Ellis,

Ordered, that the undermentioned bill be re-committed to the committee of the whole house, to wit:

No. 13, (H.) "A bill to set off the town of Howard, in the county of Brown."

On motion of Mr. Agry,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 15, (H.) "A bill for an act for the preservation of timber upon rivers and streams."

Thereupon, the house resolved itself into the committee of the whole house, for the consideration of the aforementioned bills;

Mr. Price in the chair;

And after some time spent therein, the committee rose, and by their chairman reported bill No. 13 with, and No. 22 without amendment, and that they had made some progress on bill No. 15, and desired leave to sit again thereon.

Leave was accordingly granted to sit again for the consideration of bill No. 15, when the amendment to bill No. 13 was con-

curred in, and the bill together with bill No. 22, were severally ordered to be engrossed.

On motion of Mr. Agry,

The house adjourned.

WEDNESDAY, January 10, 1844.

The undermentioned petitions were severally presented and referred, to wit:

By Mr. Crossman: the petition of the county commissioners of the county of Dane, praying that the expenses of the prosecution of James R. Vineyard be paid by the territory;

Referred to the committee on the judiciary.

By Mr. Darling: the petition of citizens of Calumet county, praying that the county may be detached from the county of Brown, and attached to some other county more conveniently situated, to be organized for judicial purposes. Also,

The petition of citizens of Calumet county, praying for the passage of a law requiring the county of Brown to refund to the county of Calumet certain school moneys;

Which were severally referred to the committee on the judiciary.

By Mr. Thompson: the petition of inhabitants of Wisconsin territory, praying for the passage of a law permitting David Merrill and others to build a bridge across Milwaukee river at Walker's Point;

Referred to the committee on internal improvements.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed

No. 13, (H.) "A bill to set off the town of Howard, in the county of Brown;" and

No. 22, (H.) "A bill to authorize the register of deeds of the county of Green to procure certain copies of records in the office of register of deeds of Milwaukee and Iowa counties."

Mr. Long, from the committee on enrolled bills, reported that they did, on this day, present to the governor for his approval:

"An act to incorporate the trustees of the village of Mineral Point;"

"An act to change the time of holding the annual meetings of the several boards of county supervisors;"

"An act to organize the county of Sauk;" and

"An act to provide for the election of a printer to the legislative assembly."

Mr. Darling, from the committee on the judiciary, to which a petition on the subject had been referred, reported the undermentioned bill, to wit:

No. 26, (H.) "A bill to authorize the trustees of school district No. 1, in the town of Rochester, to collect certain moneys, and pay over to district No. 8;"

Which was read the first and second time.

A message from the council, by their secretary:

"Mr. Speaker: The council have passed the following, in which I am directed to ask the concurrence of this house, to wit:

No. 7, (C.) 'A bill to provide for the election of clerks of the boards of supervisors, and for other purposes;'

No. 26, (C.) 'A bill to authorize the erection of a bridge across Root river;'

No. 27, (C.) "A bill prescribing the time of holding the annual sessions of the legislative assembly;"

No. 28, (C.) 'A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes;'

No. 32, (C.) 'A bill in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee.'

And have passed

No. 18, (H.) 'A bill to authorize the president and trustees of the village of Southport to discontinue a street.'"

Bills on their passage being announced by the speaker,

The undermentioned bill was read the third time, passed, and the title thereof agreed to, to wit:

No. 22, (H.) "A bill to authorize the register of deeds of the county of Green to procure certain copies of records in the office of register of deeds in Milwaukee and Iowa counties."

The following entitled bill was read the third time and passed, to wit:

No. 13, (H.) "A bill to set off the town of Howard, in the county of Brown."

On motion of Mr. Elmore,

The title to the said bill was amended to read "A bill to set off the several towns therein named."

The message from the council was taken up, when

The undermentioned bills were severally read the first and second times, to wit:

No. 32, (C.) "A bill in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee."

No. 28, (C.) "A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes;"

No. 27, (C.) "A bill prescribing the time of holding the annual session of the legislative assembly;"

No. 26, (C.) "A bill to authorize the erection of a bridge across Root river;"

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes."

The speaker laid before the house a communication from James Morrison, treasurer of the territory, in answer to a resolution of this house relating to the vouchers in his hands for which scrip was issued; which was read, and

On motion of Mr. Birchard,

Referred to the committee on finance. [SEE APPENDIX.]

Mr. Elmore, by leave, offered the following resolution, which was adopted, to wit:

No. 17, (H.) "Resolution concerning a light-house at Sauk Harbor," as follows:

"*Resolved*, by the council and house of representatives of Wisconsin territory, that our delegate is hereby requested to urge upon congress the necessity of making an appropriation for the purpose of placing a revolving light at Sauk Harbor, within this territory."

On motion of Mr. Crossman,

Ordered, that the reports of the select committee relative to the account of Daniel Baxter, be taken up for consideration.

Mr. Crossman then moved that the majority report of said committee be accepted, and the committee discharged from the further consideration thereof; when,

Mr. Palmer moved to amend the motion so as to include the minority report;

And the question being put on agreeing to the amendment proposed by Mr. Palmer,

It passed in the affirmative.

And then the motion of Mr. Crossman, as amended, was agreed to.

The undermentioned resolution, reported by the majority of said committee, was then read the first and second time, and

On motion of Mr. Hunkins,

The rule requiring the same to be printed was suspended, viz:

No. 5, (H.) "Resolution relative to an allowance to Daniel Baxter."

On motion of Mr. Agry;

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 15, (H.) "A bill for an act for the preservation of timber upon rivers and streams."

On motion of Mr. Tripp;

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 32, (C.) "A bill in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee."

On motion of Mr. Hunkins,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 21, (H.) "A bill to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee."

On motion of Mr. Manahan,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 23, (C.) "A bill to define the boundaries of certain counties therein named, and for other purposes."

Thereupon the house resolved itself into the committee of the whole house, for the consideration of the aforementioned bills;

Mr. Elmore in the chair.

After some time spent therein, the committee rose and reported No. 15 with, and Nos. 23 and 32 without amendment; and that they had made some progress in bill No. 21, and desired leave to sit again thereon.

On motion of Mr. Manahan,

Ordered, that bill No. 23 be indefinitely postponed.

On motion of Mr. Crossman,

Ordered, that bill No. 15 be laid on the table.

Bill No. 32 was then ordered to a third reading;

And leave granted to sit again for the consideration of bill No. 21.

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, which were signed by the speaker, to wit:

"An act for the relief of the town of Sharon, in Walworth county;"

"Memorial to congress for a donation of land to improve the Grant river slough."

Mr. Palmer, by leave, and agreeably to notice previously given, introduced the following bill, which was read the first and second time, to wit:

No. 27, (H.) "A bill to prohibit the circulation of the bills of foreign banks within the limits of the territory of Wisconsin."

On motion of Mr. Ellis,

Ordered, that the aforementioned bill No. 27, be printed and referred to the committee on the Judiciary.

Mr. Elmore moved that the undermentioned resolution be now taken up for consideration, to wit:

No. 15, (H.) "Resolution relative to the adjournment of the present session of the legislative assembly."

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Elmore,

Those who voted in the affirmative were,

Messrs. Bartlett, Darling, Ellis, Elmore, Hopkins, Long, Parsons, Price, Thompson, Tripp and Walker, (speaker)—11.

Those who voted in the negative were,

Messrs. Agry, Birchard, Capron, Crossman, Grant, Hicks, Hunkins, Manahan, Masters, Meeker, Olin, Palmer, Platt, and Trowbridge—14.

Mr. Darling, from the committee on the judiciary, to which several petitions on the subject had been referred, reported the undermentioned bill, to wit:

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes;"

Which was read the first and second time.

Mr. Crossman moved that the house adjourn until 2 o'clock this afternoon, when

Mr. Elmore moved that the house do now adjourn.

The speaker decided that the latter motion being privileged, would first be put.

And the question being put thereon,

It passed in the affirmative.

So the house adjourned.

THURSDAY, January 11, 1844.

Mr. Olin presented the petition of C. Eastman, and other citizens of Milwaukee, for the removal of vagrant Indians;

Which was referred to the committee on territorial affairs.

The speaker laid before the house a communication of M. M. Jackson, attorney general, relative to the suit of William Doughty, *vs.* the territory of Wisconsin;

Which was read, and

On motion of Mr. Long,

Ordered, to be laid on the table and printed. [SEE APPENDIX.]

Mr. Elmore, by leave, offered the following resolution,

Which was adopted, to wit:

"*Resolved*, That the committee of conference, on the disagreeing vote of the two houses, on resolution relative to the location of university lands, be requested to report forthwith."

Mr. Platt, from the committee on mining and smelting, to which a resolution of this house on the subject had been referred, made a report relating the mineral lands of Wisconsin, and the leasing system. [SEE APPENDIX.]

Accompanied by the following memorial, to wit:

No. 4, (H.) "An address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States, concerning the mineral lands in the said territory;"

Which was read the first and second time.

On motion of Mr. Platt,

The said report was accepted, and five hundred copies thereof ordered to be printed.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 31, (C.) 'A bill to amend certain acts relative to the counties of Dodge and Washington;'

No. 24, (C.) 'A bill to amend an act entitled an act concerning justices of the peace, and for other purposes;'

No. 28, (C.) 'A bill to amend an act entitled an act to repeal an act entitled an act to incorporate the stockholders of the Bank of Mineral Point,' approved February 18th, 1842;

In which I am directed to ask the concurrence of this house;

And have passed

No. 17, (H.) 'Resolution concerning a light house at Sauk Harbor.'"

Mr. Trowbridge, from the committee on roads, to which several petitions on the subject had been referred, reported the undermentioned bill,

No. 29, (H.) "A bill to establish certain territorial roads therein named;"

Which was read the first and second time.

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled:

No. 18, (H.) "A bill to authorize the president and trustees of the village of Southport to discontinue a street;" which was signed by the speaker.

Mr. Ellis, from the committee of conference, to which resolution No. 11, (C.) was referred, relating to the selection of seminary lands, reported that an informal meeting of the committee had been held, at which the chairman of the committee on the part of the council recommended to the house to recede from its amendments, to which the committee on the part of the house could not accede;

And he therefore moved that the said committee be dissolved.

Mr. Parsons moved to amend the motion by adding to it the following words:

"And that a new committee be appointed;"

Which was agreed to.

And then the motion was adopted.

Messrs. Price and Hunkins were appointed said committee on the part of this house.

A message from the governor by Mr. Charles Doty, his private secretary;

Which the speaker laid before house, notifying it, that he had on the 10th instant approved bills of the following titles, to wit:

"An act to change the time for holding the annual meetings of the several boards of county supervisors;" and

"An act to organize the county of Sauk."

Mr. Darling moved to reconsider the vote by which the house on yesterday indefinitely postponed bill

No. 23, (C.) "A bill to define the boundaries of certain counties therein named and for other purposes."

And pending the question thereon,

Mr. Darling moved to lay the said motion on the table;

And the question being put thereon,

It passed in the negative.

The question was then put on the motion to reconsider;

And it passed in the negative.

Bills on their passage being announced, the undermentioned was read the third time, passed and title thereof agreed to, to wit:

No. 32, (C.) "A bill in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee."

Mr. Palmer offered the following resolution, to wit:

"*Resolved*, That the committee on the judiciary, be instructed to inquire into the expediency of reporting a bill requiring the respective clerks of the district courts of the several counties to present to the respective clerks of the boards of county commissioners, or supervisors, as the case may be, within five days after the adjournment of the court, a full statement of all the certificates issued to jurors, and to witnesses summoned on the part of the territory, and any other indebtedness which their counties may have incurred on account of the sessions of the courts;

Which was adopted.

Mr. Manahan gave notice that on a future day, he should by leave introduce a bill to prevent the collection of territorial revenue, and for other purposes therein named.

On motion of Mr. Crossman,

No. 5, (H.) Resolution relative to an allowance to Daniel Baxter, was referred to the committee of the whole house.

On motion of Mr. Parsons,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 24, (H.) "A bill in relation to the qualification of voters for state government and for the election of delegates to form a state constitution."

On motion of Mr. Ellis,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No, 23 (H.) "A bill to authorize David Jones and Erastus Bailey to maintain a dam on the Pish-te-go river."

On motion of Mr. Messersmith,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 28, (C.) "A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes."

On motion of Mr. Ellis,

A call of the house was then made, and Messrs. Agry and Price reported to be absent.

On motion of Mr. Platt,

Ordered, that Mr. Price be excused from attendance in the house.

The sergeant-at-arms was then sent to notify Mr. Agry that his attendance was required in the house; when,

On motion of Mr. Long,

Further proceedings in the call of the house were dispensed with.

Thereupon the house resolved itself into the committee of the whole house for the consideration of the last mentioned bills and resolution,

Mr. Platt in the chair.

Pending the report of the committee, the secretary of the council being announced, the speaker took the chair, when the following message was received, to wit:

"Mr. Speaker: The council have passed the following, in which I am directed to ask the concurrence of this house, to wit:

No. 25, (C.) 'A bill to incorporate the Madison Academy;'

No. 34, (C.) 'A bill to authorize the president and trustees of the village of Southport to borrow money, and for other purposes.'"

The committee then resumed its session, and after some time spent therein, rose and by their chairman reported bills Nos. 24 and 23, and resolution No. 5, to the house without amendment, and that they had made some progress in bill No. 20, (C.) and desired leave to sit again for the consideration thereof.

Resolution No. 5 and bill No. 23, were then severally ordered to be engrossed for a third reading.

Pending the question on ordering bill No. 24 to be engrossed for a third reading,

Mr. Platt moved to amend the same by adding thereto the following section, to wit:

"Sec. 3. That for the purpose of more fully extending to the free white male inhabitants, wherever born, the right of suffrage at as early a day as possible, they shall at the next general election be authorized to vote for or against the formation of a state government; the vote so polled for or against a state government, shall be certified and returned in the same manner as is prescribed for certifying and returning the votes for delegates to congress."

Pending the question on the adoption of the said amendment,

Mr. Hicks moved that the said bill and amendment be indefinitely postponed,

When Mr. Ellis called for a division of the question, and moved a call of the house.

The roll having been called by the clerk,

Mr. Price was reported to be absent, when,

On motion of Mr. Platt,

Ordered, that Mr. Price be excused from attendance in the house.

Mr. Hicks having modified his motion to postpone, by withdrawing so much thereof as related to the amendment proposed by Mr. Platt,

Mr. Ellis withdrew his motion for a division of the question.

Pending the question of indefinite postponement of said bill, as modified by Mr. Hicks,

Mr. Thompson moved that the said motion do lie on the table;

Which the speaker decided not to be in order.

Mr. Long, from the committee of engrossed bills, reported that they did on this day present to the governor for his approval,

"Memorial to congress for a donation of land to improve the Grant river slough," and

"An act for the relief of the town of Sharon, in Walworth county."

Mr. Long, from the same committee, reported the following to be correctly enrolled, which was signed by the speaker, to wit:

No. 17, (H.) "A resolution concerning a light-house at Sauk Harbor."

A motion was then made by Mr. Grant, that the house do now adjourn until three o'clock this afternoon, when

Mr. Ellis moved that the house do now adjourn.

And the question being put thereon, it passed in the affirmative.

So the house adjourned.

FRIDAY, January 12, 1844.

The undermentioned petitions were severally presented and referred, to wit:

By Mr. Price: the petition of John D. Caldwell and others, citizens of the county of Grant, praying the passage of a law to authorize Clovis A. La Grave to establish and keep a ferry across the Mississippi river, at Cassville, in the county of Grant;

Referred to the committee on corporations.

By Mr. Capron: the petition of the board of supervisors of Walworth county, asking to be remunerated for the expenses incurred on occasion of certain territorial suits having been removed to said county;

Referred to the committee on territorial expenditures.

By Mr. Darling: the petition of citizens of Winnebago county,

praying for the extension of the terms of the offices of justice of the peace;

Referred to the committee on the judiciary.

Mr. Thompson presented the remonstrances from citizens of the territory of Wisconsin, against the passage of any law giving foreigners the right of voting for delegates to form a state constitution;

Which were read and laid on the table.

Mr. Hicks, by leave, offered the following resolutions, which were read and laid on the table, to wit:

"*Resolved,* That the legislature of this territory cannot pass any law, extending the right of suffrage further than is now enjoyed under the laws of this territory, or of the United States.

Resolved further, That the inhabitants of this territory have not the right to form a constitution and state government, without a special law of congress to enable them so to do."

Mr. Crossman, from the committee on engrossed bills, reported the following as correctly engrossed, to wit:

No. 23, (H.) "A bill to authorize David Jones and Erastus Bailey to maintain a dam on the Pish-te-go river;"

No. 5, (C.) "Resolution relative to an allowance to Daniel Baxter."

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled, the following bill:

Which was signed by the speaker, to wit:

No. 32, (H.) "A bill in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee."

And also, that they did, on yesterday, the 11th inst. present to the governor for his approval,

"An act to authorize the president and trustees of the village of Southport to discontinue a street."

The message from the council was taken up, when

The undermentioned bills were severally read the first and second times, to wit:

No. 24, (H.) "A bill to amend an act entitled 'an act concerning justices of the peace, and for other purposes;'"

No. 25, (C.) "A bill to incorporate the Madison Academy;"

No. 31, (C.) "A bill to amend certain acts relative to the counties of Dodge and Washington;"

No. 34, (C.) "A bill to authorize the president and trustees of

the village of Southport to borrow money and for other purposes;"

No. 38, (C.) "A bill to amend an act entitled 'an act to repeal an act to incorporate the stockholders of the Bank of Mineral Point,' approved February 11th, 1842."

On motion of Mr. Ellis,

Ordered, that bill No. 24, (C.) first above mentioned, be referred to the committee on the judiciary.

Bills on their passage being announced by the speaker,

The undermentioned was read the third time, passed, and the title thereof agreed to, to wit:

No. 23, (H.) "A bill to authorize David Jones and Erastus Bailey to maintain a dam on the Fish-te-go river."

Resolution No. 5, (H.) "Resolution relative to an allowance to Daniel Baxter,"

Was read the third time, when,

Mr. Thompson asked the unanimous consent of the house to amend the same;

And objection being made thereto,

The amendment was not received.

Mr. Hunkins then moved to recommit said resolution to the committee of the whole house.

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Manahan, Olin, Palmer, Parsons, Platt, Price, and Thompson—15.

Those who voted in the negative were,

Messrs. Birchard, Capron, Ellis, Hicks, Long, Masters, Messersmith, Meeker, Tripp and Walker (speaker)—10.

A message from the governor, by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed by the governor to deliver to this house a message in writing."

Mr. Meeker gave notice that on some future day he should ask leave to introduce a bill to repeal all laws for licensing taverns and groceries.

A message from the council, by their secretary, to wit:

"Mr. Speaker: The governor has notified the council that he did, on the 11th day of January, inst., approve and deposite in the office of the secretary of the territory the following:

'An act to incorporate the trustees of the village of Mineral Point;' and

'A memorial to congress for a donation of land to improve the Grant river slough.'

The council have passed

No. 22, (H.) 'A bill to authorize the register of deeds of the county of Green to procure certain copies of records in the office of register of deeds of Milwaukee and Iowa counties.'

With an amendment, in which I am directed to ask the concurrence of this house."

Mr. Darling moved that the resolution offered this morning by Mr. Hicks be taken up for consideration;

Which the speaker decided to be out of order, as the unfinished business of yesterday had not yet been disposed of.

Mr. Masters gave notice that on some future day he should ask leave to introduce a bill to amend an act regulating interest.

The hour devoted to morning business having expired,

The house proceeded to take up the unfinished business of yesterday, when

The speaker stated that the question pending was the motion of Mr. Hicks, to indefinitely postpone the following bill, to wit:

No. 24, (H.) "A bill in relation to the qualifications of voters for state government, and for the election of delegates to form a state constitution."

Mr. Hicks moved for leave to withdraw said motion;

Which was agreed to.

Mr. Thompson then moved that the said bill and amendment offered by Mr. Platt do lie on the table until Wednesday next;

And pending that question, and

On motion of Mr. Hunkins,

A call of the house was made, and Mr. Trowbridge reported to be absent.

On motion of Mr. Agry,

Mr. Trowbridge was excused from attendance.

The question was then put on laying said bill on the table until Wednesday next,

And passed in the negative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Capron, Elmore, Grant, Hopkins, Messersmith, Palmer, Platt, and Thompson—8.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Hicks, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Price, Tripp, and Walker (speaker)—17.

Mr. Ellis moved to lay the amendment offered by the gentleman from Grant, (Mr. Platt,) on the table, provided that the vote on the motion to lay on the table shall not be considered as committing the house in regard to the proposition contained in the said amendment, but that if adopted, it shall be for the express purpose of separating the proposition touching state government from the question of suffrage.

Mr. Platt moved to amend the motion by striking out all after the word "table," where it occurs;

And the question being put on the amendment,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Capron, Elmore, Hicks, Hopkins, Messersmith, Palmer, Platt, Thompson, and Tripp—9.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Price, and Walker (speaker)—16.

The question was then put on the motion moved by Mr. Ellis,

And it passed in the affirmative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affimative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Price, and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Capron, Elmore, Hicks, Hopkins, Messersmith, Palmer, Platt, Thompson, and Tripp—9.

Mr. Platt then moved that the said bill do lie on the table until Wednesday next;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Capron, Elmore, Grant, Hicks, Hopkins, Long, Messersmith, Olin, Palmer, Platt, Thompson, and Tripp—13.

Those who voted in the negative were,

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Hunkins, Manahan, Masters, Meeker, Parsons, Price, and Walker (speaker)—12.

Mr. Platt asked leave to introduce a bill;

And objection being made by Mr. Ellis, that the rules of the house required one day's notice,

The chair decided that it would not be in order.

The question was then put on granting leave to the committee of the whole house to sit again for the consideration of bill No. 28, (C.) entitled "A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes," being a part of the unfinished business of yesterday;

And passed in the affirmative.

Mr. Darling renewed his motion to take up the resolutions offered by Mr. Hicks this morning;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Masters, Meeker, Olin, Parsons, and Walker (speaker)—13.

Those who voted in the negative were,

Messrs. Agry, Capron, Elmore, Hicks, Hopkins, Manahan, Messersmith, Palmer, Platt, Price, Thompson, and Tripp—12.

Mr. Darling then moved to amend said resolution by striking out all after the word "resolved," and inserting the following, to wit:

"That the right to form a state government, so far as it is possessed by the people of Wisconsin, rests in all the people equally who are capable of exercising political rights at the time of the formation of such government, and that the subject of the formation of a state government, relating as it does to the inherent

rights of the people themselves, in whom all true sovereignty, and all right of originating government rests, cannot be restricted or prohibited by the legislative assembly, *to any of the inhabitants of Wisconsin, on account of their having been born in any other state or foreign country.*"

And then the said resolutions and amendment were,

On motion of Mr. Darling,

Ordered to lie on the table.

Mr. Platt gave notice, that on some future day he should ask leave to introduce a bill to authorize the people to vote at the next general election, either for or against the formation of a state government.

The speaker laid before the house the message of the governor, received this morning, notifying it that he had, on the 11th inst., approved and deposited in the office of the secretary of the territory, bills of the following titles, to wit:

"An act to authorize the president and trustees of the village of Southport to discontinue a street."

"An act for the relief of the town of Sharon, in the county of Walworth."

Mr. Platt, pursuant to notice previously given, and by leave, introduced the following memorial,

Which was read the first and second time, to wit:

No. 5, (H.) "Address of the legislature to the secretary of the treasury of the United States, in relation to the marshal of this territory."

On motion of Mr. Darling,

Ordered, that the undermentioned bills be referred to the committee of the whole house, to wit:

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes;"

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes."

Thereupon the house resolved itself into the committee of the whole house, for the consideration of the said bills;

Mr. Hicks in the chair.

After some time spent therein, the committee rose, and by their chairman reported No. 7 to the house with amendments, and that they had made some progress in No. 28, and desired leave to sit again for the consideration of the same.

Pending the adoption of the report of the committee,

Mr. Ellis moved the following resolution, which was adopted, to wit:

"*Resolved*, That bill No, 7, (council file) be committed to the committee on the judiciary, and that said committee be instructed to inquire into the expediency of giving the clerks of the boards of supervisors authority to administer oaths."

Leave was then granted to sit again for the consideration of bill No. 28.

On motion of Mr. Manahan,

The house adjourned.

SATURDAY, January 13, 1844.

The undermentioned petitions were severally presented and referred, to wit:

By Mr. Hunkins: the petition of the citizens of Milwaukee county, for the removal of vagrant Indians;

Referred to the committee on territorial affairs.

By Mr. Meeker: the petition of Benjamin S. Kavanaugh and other citizens of Grant county, praying for the passage of a law to prohibit the sale of ardent spirits, and other articles, at camp meetings, without the consent of the persons holding such meetings;

Referred to the committee on the judiciary.

Mr. Olin presented the petition of inhabitants of Milwaukee, praying for the repeal of so much of section 12, (on page 38 of the revised statutes) of the act entitled "an act to provide for and regulate general elections," as prohibits colored citizens from exercising the elective franchise; which was read, and

On motion of Mr. Hunkins,

Laid on the table.

Mr. Price, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, That the use of the hall of the house of representatives be given to the Rev. Mr. Kavanaugh for public worship, this evening."

Mr. Hicks, by leave, offered the following resolution:

No. 18, entitled "Resolution relative to the formation of a state government,"

Which, on motion, was laid on the table, to wit:

"*Resolved*, by the house of representatives of the territory of Wisconsin, (the council concurring,) That our delegate in congress be requested to urge, and if possible procure the passage of a law by congress, to enable the citizens of the territory of Wisconsin to form a permanent constitution and state government, whenever a majority of the legal voters of said territory shall signify their wish to do so by a vote upon the subject, in pursuance of a law of the legislature which may be passed for that purpose."

Mr. Platt, agreeably to notice previously given, and by leave, introduced the following preamble and resolutions,

Which were read the first and second time, to wit:

No. 19, (H.) "Preamble and resolutions in relation to a certain bond issued to N. C. Prentiss, building commissioner of the territory of Wisconsin."

Mr. Long, from the committee on enrolled bills, reported that they did on this day present to the governor for his approval,

"Resolution concerning a light-house at Sauk Harbor," and

"An act in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee."

Mr. Price, from the select committee appointed by a resolution of this house to inquire into the expediency of constructing a rail road from Potosi, on the Mississippi river, to Lake Michigan, made a report. [SEE APPENDIX.]

Which was read, when

Mr. Hunkins moved that the report be accepted, that five hundred copies thereof be printed, and that the committee be discharged.

Pending the question on agreeing to said motion,

Mr. Parsons moved that the report do lie on the table;

Which was disagreed to;

And then the motion of Mr. Hunkins was adopted.

A message from the council by their secretary:

"Mr. Speaker: The council have appointed Messrs. Strong

and Dewey a committee of conference on the disagreeing vote of the two houses on the amendment of this house to resolution

No. 11, (C.) 'Resolution relative to the selection of seminary land,'

And ask a new conference, with a similar committee on the part of the house of representatives."

Mr. Price, from the committee of conference, on the disagreement of the two houses relative to resolution No. 11, (C.) entitled "Resolution relative to the seminary lands," reported that they could not agree upon any modification of said disagreement, so far as relates to the appointment of one or more persons to select the remaining portions of land not yet selected; but have agreed to recommend the adoption of the resolution herewith submitted, in lieu of the original resolution, to wit:

No. 20, (H.) "Resolution relative to certain selections of lands for a university:"

"*Resolved*, by the council and house of representatives of the territory of Wisconsin, that the governor of this territory be requested to communicate with the secretary of the treasury of the United States, and urge upon him the necessity of approving of the selection of lands, made by the agent appointed by the territorial government in the Mineral Point land district, for the use and support of a seminary of learning in this territory, under the provisions of an act of congress approved the 12th of June, 1838, and that the governor ascertain if practicable whether all the lands so located in said district for the purposes above mentioned, will be or has been rejected or approved, and if not, what portion thereof, and that the governor report to the next legislature."

On motion of Mr. Price,

The said report was accepted and the committee discharged; and,

On motion of Mr. Elmore,

Ordered, that the said resolution do lie on the table.

The message from the council was taken up, requesting a new committee of conference to be appointed on the part of this house, on the disagreement of the two houses concerning resolution

No. 11, (C.) "Resolution relative to the selection of seminary lands;" when,

On motion of Mr. Ellis,

Ordered, that the resolution and message relating thereto do lie on the table.

Mr. Meeker, agreeably to notice previously given, and by leave, introduced the following bill, viz:

No. 30, (H.) "A bill to repeal an act regulating taverns and groceries;"

Which was read the first and second time.

Mr. Birchard, agreeably to notice previously given, and by leave, introduced the following bill, viz:

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes;"

Which was read the first and second time.

The undermentioned bills and resolution, were severally referred to the committee of the whole house, to wit:

On motion of Mr. Platt,

No. 5, (H.) "Resolution relative to an allowance to Daniel Baxter."

On motion of Mr. Darling,

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes."

On motion of Mr. Olin,

No. 29, (H.) "A bill to establish certain territorial roads therein mentioned."

Thereupon the house resolved itself into the committee of the whole house for the consideration of the last mentioned bills and resolution,

Mr. Tripp in the chair:

And after some time spent therein, the committee rose, and by their chairman reported said bills and resolution with amendments to each.

On motion of Mr. Darling,

Ordered, that said resolution No. 5 do lie on the table.

The amendments to bill No. 29 were concurred in; when,

On motion of Mr. Olin,

The bill was further amended by adding thereto the following proviso, to wit:

"Provided, that no part of the expenses in laying out said roads shall be paid out of the territorial treasury;"

And then the bill was ordered to be engrossed for the third reading.

The amendments to bill No. 28 were concurred in; and,

On motion of Mr. Palmer,

The bill was ordered to lie on the table.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 41, (C.) 'A bill to amend an act entitled an act to incorporate the trustees of the village of Mineral Point, approved January 11th, 1844;"

In which I am directed to ask the concurrence of this house."

Mr. Ellis presented an account of H. S. Baird for interest on a bond surrendered to the secretary of the territory;

Which was referred to the committee on territorial expenditures.

Mr. Long moved to reconsider the vote by which the house on yesterday laid the undermentioned bill on the table until Wednesday next, to wit:

No. 24, (H.) "A bill in relation to the qualification of voters for state government, and for the election of delegates to form a state constitution."

Pending the question thereon,

Mr. Thompson moved that the house adjourn,

And the question to adjourn being put,

It passed in the affirmative.

A division being called, there were ayes 13, noes 9.

So the house adjourned.

MONDAY, January 15, 1844.

Mr. Parsons presented the undermentioned petitions,

Which were laid on the table, to wit:

The petition of C. L. Starkwell and 56 others, praying for the passage of a law authorizing all the free white male inhabitants of the territory, above the age of 21 years, to vote for delegates to be chosen to form a constitution for state government; also

The petition of Frederick Borcherdt and 39 others, praying for the same object.

The undermentioned petitions and remonstrance, were severally presented and referred, to wit:

By Mr. Capron: the petition of R. H. Mallary and other citizens of Walworth county, praying for the passage of a law, authorizing all male inhabitants over the age of 21 years, to vote for or against the formation of a state government; also,

The petition of C. L. Oatman and others, citizens of Walworth county, praying for the same object; also,

The petition of James Simmons, and other citizens of Walworth county, praying for the same object;

Referred to the committee on the judiciary.

By Mr. Masters: the remonstrance of William Sacia, and other citizens of the town of Union, in the county of Jefferson, against the alteration of said town;

Referred to the committee on corporations.

Mr. Olin moved that the house take up the petition presented by him on Saturday last, praying for the repeal of so much of the law of the territory as prohibits colored inhabitants from exercising the rights of suffrage, and refer the same to the committee on the judiciary.

And the question being put thereon,

It passed in the negative.

A message from the council by their secretary:

"Mr. Speaker: The governor has returned to the council without his signature, a bill entitled

'An act to amend the act to provide for the election of sheriffs, judges of probate and justices of the peace, and for other purposes,'

Accompanied by a message dated January 8, 1844, stating his objections to the bill, and the council have re-considered said bill and passed the same, eleven members having voted for and none against it, and I am directed to deliver to this house said bill and message.

The governor has also returned to the council, without his signature, a bill entitled

'An act to provide for the election of a printer to the legislative assembly,'

Accompanied by a message dated January 12, 1844, stating his objections to the bill, and the council have reconsidered said bill, and passed the same, eight members having [illegible]

three against said bill, and I am directed to deliver to this house said bill and message;

I am directed to present for the concurrence of this house, to wit:

No. 42, (C.) 'A bill to authorize school district number one in the town of Lancaster to levy a tax.' "

Mr. Manahan, by leave, introduced the following resolution;

Which was adopted, to wit:

No. 21, (H.) "Resolution requesting the committee on state government, to report:"

"*Resolved*, by the council and house of representatives, that the joint select committee to whom was referred the subject of state government, be requested to report on the 17th inst."

Mr. Agry, from the committee on the judiciary to which was referred

No. 25, (H.) "A bill to incorporate the first congregationalist church and society in Madison," reported the undermentioned bill in lieu thereof;

Which was read the first and second time, to wit:

No. 32, (H.) "A bill respecting religious societies."

Mr. Agry, from the same committee, to which a petition on the subject had been referred, reported the undermentioned bill,

Which was read the first and second time, to wit:

No. 33, (H.) "A bill for the relief of the county of Calumet."

Mr. Ellis, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, by the house of representatives of the territory of Wisconsin, that our delegate in congress be requested to call on the secretary of the treasury of the United States, to know why the appropriation of seventeen thousand two hundred and seventy-five dollars, made by the act of congress of March 23, 1843, 'for compensation and mileage of the members of the legislative assembly of said territory (of Wisconsin,) pay of officers, printing, stationery, fuel, furniture, postage, and other miscellaneous expenses,' has not been forwarded to Madison, the seat of government of said territory."

Mr. Manahan, from the committee on territorial expenditures, to which was referred the claim of George Beatty for interest on territorial certificates, reported, that no appropriation ought to be made to pay the interest of said certificates, for the reason that

they purport to draw interest which should be paid when the principal is, without further appropriation;

And from the same committee, to which was referred the account of Jonathan Chadwick, reported that the account ought not to be paid.

Mr. Platt moved that the report be accepted, and the committee discharged from the further consideration of the subject.

Mr. Darling moved to amend the motion, by accepting so much of the report as relates to the account of Jonathan Chadwick;

Which was agreeed to.

Mr. Darling then moved, that the said report be recommitted to the said committee, with instructions to include the account for interest on bonds, in a bill to be reported by said committee.

And the question to refer having preference over the motion of Mr. Platt, was first put,

And was agreed to.

The message from the council was considered, when bill No. 41, (C.) was read the first and second time, to wit:

"A bill to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point;' approved January 11, 1844."

The amendment made by the council to No. 22, (H.) was read and concurred in, to wit:

"A bill to authorize the register of deeds of Green county to procure certain copies of records in the office of the register of deeds of Milwaukee and Iowa counties."

Mr. Agry, by leave, presented the petition of George W. Moody and twenty-six others, inhabitants of Sheboyagan county, praying for the repeal of "an act relative to the county officers or Sheboyagan county," approved January 13th, 1840;

Which was referred to the committee on the judiciary.

Mr. Agry also presented the account of E. V. Whiton, for services rendered in certain territorial suits;

Which was referred to the committee on territorial expenditures.

Mr. Platt gave notice that he would, on some future day, ask leave to introduce a bill to repeal an act entitled "an act to provide for the election of superintendant of territorial property, and for other purposes," passed March 14, 1843.

Mr. Platt, agreeably to notice previously given, and by leave, introduced a bill,

Which was read the first and second time, to wit:

No. 34, (H.) "A bill to authorize the people to vote at the next general election, for or against the formation of a state government."

Mr. Ellis moved that the said bill be referred to the committee on the judiciary;

And pending the said question,

A call of the house was made on motion of Mr. Hunkins,

And Messrs. Birchard and Trowbridge reported to be absent.

The sergeant-at-arms was then directed to notify Messrs. Trowbridge and Birchard that their attendance was desired in the house.

And the said members having appeared,

On motion of Mr. Capron,

Further proceedings in the call of the house were dispensed with.

A motion was then made by Mr. Hunkins, to amend the motion of Mr. Ellis, by adding thereto the following words, to wit:

"With instructions to report this week."

And the question being put on agreeing to the said amendment,

It passed in the affirmative.

The question was then put on the motion of Mr. Ellis, and

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Hunkins, Long, Masters, Meeker, Olin, Parsons, Price, Trowbridge, and Walker (speaker)—14.

Those who voted in the negative were,

Messrs. Bartlett, Capron, Elmore, Grant, Hicks, Hopkins, Manahan, Messersmith, Palmer, Platt, Thompson, and Tripp—12.

A message from the governor, by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed to present to the house of representatives a message from the governor, in writing."

The unfinished business of Saturday last was taken up, when

The question was stated by the speaker to be on the motion moved by Mr. Long to reconsider the vote by which the house, on Friday last, ordered bill No. 24, (H.) "A bill in relation to the qualification of voters for state government, and for the election of delegates to form a state constitution," to lie on the table until Wednesday next.

And the question being put,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmatine were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Trowbridge, and Walker (speaker)—20.

Those who voted in the negative were,

Messsrs. Capron, Elmore, Hopkins, Palmer, Thompson, and Tripp—6.

So the said vote was reconsidered.

The question then recurred on postponing the said bill until Wednesday next; and being put,

It passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Capron, Elmore, Hopkins, Messersmith, Palmer, Price, Thompson, and Tripp—8.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Platt, Trowbridge, and Walker (speaker)—18.

Mr. Bartlett moved to amend the said bill by striking out the word "white," wherever it occurs.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Bartlett, Elmore, Hopkins, Olin, and Thompson—5.

Those who voted in the negative were,

Messrs. Agry, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Palmer, Parsons, Platt, Price, Tripp, Trowbridge, and Walker (speaker)—21.

The question then recurred on ordering the said bill to be engrossed; and being put,

It passed in the affirmative.

The speaker laid before the house a message from the governor,

received this morning, submitting a petition of certain German inhabitants, relating to the subject of state government, and the right of foreigners to vote thereon. [SEE APPENDIX.]

And the said message and petition having been read,

Mr. Darling moved that the said petition and message do lie on the table.

Mr. Capron moved to amend the motion by adding to it, "and that the said message be printed."

Which amendment was accepted by Mr. Darling,

And the motion was then agreed to.

A message from the governor, by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

The following resolution and bills were referred to the committee of the whole house, to wit:

On motion of Mr. Ellis,

No. 16, (H.) "Resolution relative to the extinguishment of the Indian title to lands therein mentioned."

On motion of Mr. Hunkins,

No. 21, (H.) "A bill to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee."

On motion of Mr. Manahan,

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes."

The house then resolved itself into the committee of the whole house for the consideration of said resolution and bills,

Mr. Capron in the chair;

And after some time spent therein, rose, and by their chairman reported the said resolution without, and bill No. 21 with, an amendment, and that they had made some progress in bill No. 31, and desired leave to sit again for the consideration of the same.

The amendment to bill No. 21 was agreed to.

And the said bill and resolution No. 16 severally ordered to be engrossed.

Leave was then granted to said committee to sit again for the consideration of bill No. 31.

On motion of Mr. Darling,

Ordered, that the undermentioned bill be now taken up for consideration, to wit:

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes."

Mr. Darling moved to amend the said bill by adding thereto the following, to wit:

"SEC. The legal voters of the county of Winnebago shall on the day of the annual town meeting in April next, vote for or against the annexation of said county to the county of Fond du Lac for judicial purposes; and if a majority of such voters shall be in favor of such annexation, the clerk and moderator of such town meeting shall make return of such vote to the clerk of the board of supervisors of Fond du Lac county, within ten days after the day of such meeting, and the said clerk shall record such returns in the said supervisor's office; and when so recorded, the said county of Winnebago shall be deemed to be attached to the county of Fond du Lac, and be subject to all such provisions of law, as pertain to the other counties hereby attached to the county of Fond du Lac, any law to the contrary notwithstanding; and it is hereby provided, that if a majority of the legal voters of the county of Sheboyagan, shall in like manner on the first Tuesday of April next vote *against* the annexation of said county of Sheboyagan to the county of Fond du Lac, then the provisons of this act, so far as the county of Sheboyagan is concerned shall be of no force; and said county shall remain as now attached to the county of Brown."

Mr. Ellis moved to amend the amendment proposed by Mr. Darling, by adding after the word "Sheboyagan" the word "Marquette," and by changing the word "county" into "counties" in the proviso thereof;

Which amendment was accepted by Mr. Darling.

And then the question was put on agreeing to the amendment proposed by Mr. Darling, as modified by Mr. Ellis, and

It passed in the affirmative.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Elmore,

The house took up resolution

No. 15, (H.) "Resolution relative to the adjournment of the present session of this assembly," returned from the council with an amendment; which was read;

And the question being put, "will the house concur in the said amendment?"

It passed in the negative.

So the house refused to concur in the said amendment.

Mr. Crossman, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 16, (H.) "Resolutions relative to the extinguishment of the Indian title to lands therein mentioned;"

No. 24, (H.) "A bill in relation to the qualifications of voters for state government, and for the election of delegates to form a state constitution;" and

No. 29, (H.) "A bill to establish certain territorial roads therein named."

Mr. Platt, by leave, offered the following resolution, which, under the rules lies one day on the table, to wit:

"*Resolved*, That from and after this day, the daily sessions of this house shall commence at 9 o'clock, A. M."

Mr. Grant, by leave, offered the following resolution, to wit:

"*Resolved*, That when this house adjourn, it adjourn until two o'clock, P. M.;" when

Mr. Elmore moved to adjourn.

And the question being put on the motion to adjourn,

It passed in the affirmative.

So the house adjourned.

TUESDAY, January 16, 1844.

Mr. Darling presented the remonstrance of David Giddings and twenty-five other inhabitants of Sheboyagan county, against the repeal of an act relating to the county officers of Sheboyagan county, approved January 13th, 1840;

Which was referred to the committee on the judiciary.

Mr. Darling, by leave, offered the undermentioned resolution, to wit:

No. 22, (H.) "Resolution relative to the election of a superintendent of territorial property:"

"*Resolved*, (the hon. the council concurring,) that the council and house of representatives will meet in the representatives' hall on Saturday, the 20th inst. at 12 o'clock, at noon, for the purpose of choosing a superintendent of territorial property."

Mr. Platt moved that the resolution do lie on the table;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Capron, Elmore, Grant, Hicks, Hopkins, Messersmith, Platt, Price, and Thompson—9.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Hunkins, Long, Masters, Meeker, Olin, Parsons, Tripp, Trowbridge, and Walker (speaker)—15.

The question then recurred on the adoption of the resolution, and being put,

It passed in the negative.

Mr. Hopkins, by leave, offered the undermentioned resolution, to wit:

"*Resolved*, That from and after this day, the daily sessions of the house of representatives shall commence at 9 o'clock, A. M. and at 2 o'clock, P. M., and that when this house adjourn, it adjourn to meet at half past 2 o'clock, this afternoon;"

Which the speaker decided, under the rules of the house, would lie on the table one day.

Mr. Masters presented the accounts of Wm. N. Seymour and Simeon Mills, each for services rendered in certain territorial suits.

Mr. Platt moved that the account of Wm. N. Seymour be not entertained by the house;

And pending the question thereon,

On motion of Mr. Ellis,

Leave was granted to Mr. Seymour to withdraw his account.

The account of S. Mills was then referred to the committee on territorial expenditures.

Mr. Grant, by leave, offered the undermentioned resolution, to wit:

"*Resolved*, That when this house adjourn, it adjourn until half past two o'clock, P. M."

And the question being put on the adoption thereof,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Grant, Hicks, Hopkins, Hunkins, Long, Masters, Meeker, Olin, Platt, Thompson and Trowbridge—15.

Those who voted in the negative were,

Messrs. Agry. Capron, Ellis, Elmore, Messersmith, Palmer, Parsons, Price, Tripp, and Walker (speaker)—10.

Mr. Thompson, by leave, offered the following resolution, viz:

"*Resolved*, That the use of this hall be granted to the Rev. Mr. Kavanaugh for divine service this evening."

Mr. Ellis moved to amend the resolution, by striking out the words "this evening," and inserting in lieu thereof the words "three o'clock this afternoon."

Pending the question on the adoption of the said amendment,

Mr. Thompson moved for leave to withdraw the said resolution, when

On motion of Mr. Grant,

Ordered, that the said resolution and amendment do lie on the table.

Mr. Platt gave notice that he would on a future day ask leave to introduce a bill to establish the time during which the roads shall be worked, and for other purposes.

Mr. Crossman, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 21, (H.) "A bill to authorize the construction of a bridge across the Milwaukee river in the town of Milwaukee;" and

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes."

Mr. Birchard, by leave, presented the petition of Elias Smith and others, citizens of the county of Racine, praying that the act chartering a rail road from Racine to Rock river, be revived, and that the road be extended to the Mississippi river;

Which was referred to the committee on the judiciary.

Mr. Darling, from the committee on the judiciary, to which bill No. 7, (C.) was referred, entitled "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes," reported the same to the house with an amendment;

Which bill was read the second time.

Mr. Meeker, agreeably to notice previously given, and by leave, introduced a bill,

Which was read the first and second time, to wit:

No. 35, (H.) "A bill to prevent disturbance and interruption at camp meetings."

Mr. Agry, from the committee on the judiciary, to which a petition was referred, reported a bill,

Which was read the first and second time, to wit:

No. 36, (H.) "A bill to authorize James Campbell and Thomas Stewart to build and maintain a dam on Sugar river,"

The speaker laid before the house a message from the governor, received on yesterday, notifying the house that he did on the 13th inst. approve and deposit in the secretary's office, a

"Resolution concerning a light-house at Sauk Harbor."

Bills and resolutions on their passage being announced by the speaker, the undermentioned were severally read the third time, passed, and their titles agreed to, to wit:

No. 16, (H.) "Resolutions relative to the extinguishment of the Indian title to lands therein mentioned;"

No. 21, (H.) "A bill to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee;"

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes."

Bill No. 29, (H.) "A bill to establish certain territorial roads therein named," being on its third reading, was,

On motion of Mr. Agry,

Recommitted to the committee on engrossed bills.

Bill No. 24, (H.) "A bill in relation to the qualifications of voters for state government, and for the election of delegates to form a state constitution,"

Was read the third time, when,

On motion of Mr. Hunkins,

A call of the house was made, and all the members of the house reported to be in attendance;

When a motion was made by Mr. Tripp, that the said bill do lie on the table;

And the question being put thereon,

It passed in the negative.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed

No. 21, (H.) 'Resolution requesting the committee on state government to report;' and also,

No. 17, (C.) 'Resolution requesting the governor to supply the Wisconsin Dragoons, at Mineral Point, with arms;'

In the latter of which I am directed to ask the concurrence of this house.

The council have insisted upon their amendment to

No. 15, (H.) 'Resolution relative to the adjournment of the present session of the assembly,'

And have appointed Messrs. Moses M. Strong and Rountree a committee of conference on said disagreement, and request the appointment of a similar committee on the part of the house of representatives.

The governor has notified the council that he did, on the 13th instant, approve and deposit in the office of the secretary of the territory, a bill entitled

'An act in relation to the territorial road from Mineral Point, by Whitewater, to Milwaukee.'"

The question then recurred on the passage of the said bill, and being put,

It passed in the affirmative;

And the ayes and noes being called for by Mr. Hunkins,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Trowbridge, and Walker (spk'r.)—22.

Those who voted in the negative were,

Messrs. Elmore, Hicks, Thompson and Tripp—4.

The title of said bill was then agreed to.

Mr. Hopkins moved, that the resolution offered this morning by Mr. Thompson, relative to the use of the hall for divine service this evening, be now taken up and considered;

And the question being put, it passed in the negative.

Mr. Ellis offered the following resolution, which lies one day on the table, to wit:

Resolved, That the 12th rule of this house be amended, as follows, to wit: strike out all after the word "member," in the third line of the printed rules, and insert as follows, to wit: "and its

effect shall be to put an end to all debate, and bring the house to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question."

On motion of Mr. Platt;

The house adjourned.

HALF-PAST TWO O'CLOCK, P. M.

Mr. Darling, by leave, presented the undermentioned accounts;

Which were referred to the committee on territorial expenditures, to wit:

Of A. A. Bird, for services as sheriff and fees as a witness in certain territorial suits;

Of John Catlin, for fees as a witness in certain territorial suits; and,

Of Arthur Brunson, for interest on bonds surrendered to the secretary of the territory.

Mr. Hunkins, by leave, presented two certificates for interest on bonds, one in favor of H. Luddington, and the other in favor of Alexander Mitchell;

Which were referred to the committee on territorial expenditures.

The messages from the council were taken up, when

No. 42, (C.) "A bill to authorize school district number one, in the town of Lancaster, to levy a tax;"

Was read the first and second time.

No. 17, (C.) "Resolution requesting the governor to supply the Wisconsin Dragoons, at Mineral Point, with arms;"

Was read and adopted.

The message of the council being read, requesting a committee of conference to be appointed on the disagreeing vote of the two houses relative to resolution

No. 15, (H.) "Resolution relative to the adjournment of the present session of the assembly:"

The question was put,

"Will the house confer with the council and appoint a committee of conference thereon?"

And passed in the affirmative,

The speaker appointed Messrs. Ellis and Grant of the said committee on the part of this house.

"An act to amend the act to provide for the election of sheriffs, judges of probate and justices of the peace, and for other purposes," presented by the council for reconsideration, and the message of his excellency the governor returning said bill with his objections thereto, were considered, and the said message is as follows:

"*To the Legislative Council:*

The bill entitled 'An act to amend the act to provide for the election of sheriffs, judges of probate and justices of the peace, and for other purposes,' is herewith returned.

My objections to the bill are,

1st. The powers and duties of a judge of the supreme court are by it devolved upon 'the judges of probate,' who are incapable by law of receiving them.

The probate courts are recognized by the ninth section of the act of congress establishing the territorial government of Wisconsin; as are also the supreme and district courts; but they are named as distinct tribunals.

It is not, in my view, competent for the legislature to confer upon the judges of the probate courts, other powers than are usually exercised by such courts. It cannot transfer to them or to the district or justices courts, the jurisdiction or powers of the supreme court, or its judges.

The authority given to a supreme court commissioner by law, has no relation to that of probate courts. He is 'required to perform all the duties, and to execute every act, power, and trust, which a judge of the supreme court or district courts may perform and execute out of court.'

The duties of the judges of the courts are appropriate and distinct; and the legislature has not the power to translate a judge of probate from his own court to the bench of the supreme court.

If the effect of the provisions of this bill would be *to appoint an officer*, or particular persons to an office, I object to it for this reason—being also in violation of the act of congress.

2d. Judges of probate are elected only in the counties 'organized for judicial purposes.' The number, therefore, is extremely limited. Many of the counties and settlements are remote from the residence of district and probate judges in the judicial districts; and it is as well known to the members of the assembly as to my-

self, that the judge of the second judicial district is so seldom in the territory, that it has been doubted by some persons whether he has at any one time, during the last seven years, been long enough in the district to acquire a residence, and whether he has not forfeited his office by *non user* or neglect of its duties. If he obeyed the law, and remained where his official duties are required to be performed, there would be no necessity to make provision for another person to perform his duties.

It is stated by one of the highest legal authorities, that 'neglect in public officers that concern the administration of justice, or the commonwealth, *is a direct and immediate cause of forfeiture.*'— Instead, therefore, of passing a law to impose the duties of this judge upon another officer, the proper remedy for this evil would, in my judgment, be an application by the assembly to the president to fill the vacancy occasioned by the absence and neglect of duty of the late incumbent.

3d. To abolish the office of supreme court commissioner, and transfer his duties to the judges of probate (if it could lawfully be done) would occasion, in the present circumstances of the country, great inconvenience to the people, without any corresponding benefits.

J. D. DOTY.

Executive Department,
Wisconsin, Madison, Jan. 8, 1844."

And the said message having been read,

A motion was made by Mr. Platt, that the said bill and message do lie on the table; and being put,

It passed in the negative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Capron, Elmore, Hopkins, Messersmith, Palmer, Platt, and Thompson—7.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Manahan, Masters, Meeker, Olin, Parsons, Tripp, Trowbridge, and Walker (spk'r.)—16.

Mr. Capron then moved a call of the house,

Which was made, and Messrs. Agry, Long, and Price reported to be absent.

When the sergeant-at-arms was sent to notify the said absentees that their presence was desired in the house; and the said absen-

tees having appeared in their seats, further proceedings in the call were dispensed with.

Mr. Platt objected to the action of the house until the message of the governor returning said bill should be spread at large upon the journal.

The speaker decided that the message had been spread upon the journal when read by the clerk.

From which decision of the speaker Mr. Platt appealed;

When the question was put, "shall the decision of the chair stand as the judgment of the house?"

And it passed in the affirmative.

A motion was then made by Mr. Hunkins that the said bill and message do lie on the table, and be made the order of the day for to-morrow;

And the question being put thereon,

It passed in the affirmative.

And a division being called, there were ayes 15, noes not counted.

"An act to provide for the election of a printer to the legislative assembly," presented by the council for the reconsideration of this house, and the message of his excellency the governor returning the said bill with his objections thereto, were considered;

And the said message was read by the clerk, and is as follows:

"*To the Legislative Council:*

The bill entitled 'An act to provide for the election of a printer to the legislative assembly,' I return herewith, without my signature.

The title of this bill does not appear to correspond with its provisions; a mistake, it is supposed, has occurred, by omitting the clause which would have made this officer exclusively an officer of the assembly. The duties enjoined upon him, (so far as they are disclosed,) are entirely of a territorial character commencing at the close of the duties of the assembly, and he should therefore have been styled, 'the printer for the territory,' as he is styled in the act of Congress of August 29th, 1842.

I object to this bill because it confers upon the council and house of representatives the power *to appoint a civil officer*, and is therefore a violation of the act of congress which expressly gives this power to the governor and council.

I also object to it because it does not fix the compensation

which the officer is to receive for his services. It provides that 'the duties and compensation of the printer shall be such as may from time to time be prescribed by law.'

I do not perceive the utility of providing for the appointment of an officer, before the office in fact exists; for without duties and compensation there is no office. This is too indefinite for the security both of the government and printer.

The experience of former years should satisfy us of the necessity of settling those questions before the printer is appointed, when it is known that, under such an indefinite arrangement, the printing for one session cost about twelve thousand dollars, seven thousand of which now composes a part of the indebtedness of the territory, this sum having been taken from the objects for which it was appropriated, and applied to this purpose.

It appears by an examination of the territorial acts of appropriation, that nearly one half of the sum required for the annual expenses of the assembly has been paid for printing; commencing with the session of 1839, and including the session of 1841–'2, there has been appropriated the sum of forty-eight thousand four hundred and fifty-eight dollars and sixty-eight cents for this object, as will appear by the documents herewith submitted. The magnitude of these appropriations, and the character of the services to be rendered, require that they should be regulated by a positive enactment of law.

I also object to the bill that it is a grant of a monopoly of the public printing to a particular press, and will thus, by exclusive favors, establish and sustain one press, to the injury of all others.

It excludes competition and deprives other presses of equal rights and advantages. It will, in its operation, tend to impair the freedom of the press by concentrating the public patronage wholly upon one, and thus ruining others by depriving them of support, and withholding from them every benefit and advantage to be derived from appropriations by congress, which are designed not for political or partizan purposes, but for the good of the whole territory.

J. D. DOTY.

Executive Department,
Madison, January 12, 1844."

On motion of Mr. Platt,

A call of the house was made, and all the members reported to be in attendance.

The question was put, "will the house on reconsideration approve the said bill?"

And passed in the negative;

(Two thirds of the house not having voted in the affirmative.)

And the ayes and noes were taken on the said question, and

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Price, Trowbridge, and Walker (speaker)—17.

Those who voted in the negative were,

Messrs. Capron, Elmore, Hicks, Hopkins, Messersmith, Palmer, Platt, Thompson, and Tripp—9.

On motion of Mr. Ellis,

No. 9, (H.) "A bill respecting the office of register of deeds for the county of Brown,"

Being the special order of the day,

Was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Crossman,

Ordered, that the undermentioned resolution be taken up for consideration, to wit:

No. 5, (H.) "Resolution relative to an allowance to Daniel Baxter;"

And the question being put on agreeing to the amendment made in the committee of the whole house to said resolution,

It passed in the affirmative.

Then the resolution was ordered to be engrossed for a third reading.

On motion of Mr. Hicks,

Ordered, that the resolution offered by Mr. Hicks, some days since, relative to the right of the legislature to pass any law extending the right of suffrage to foreigners, and the amendment proposed by Mr. Darling, be taken up for consideration.

Mr. Hunkins moved that the resolution and proposed amendment be indefinitely postponed.

And the question being put thereon,

It passed in the affimative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Ellis, Elmore, Grant, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Price, Trowbridge and Walker (speaker)—18,

Those who voted in the negative were,

Messrs. Capron, Darling, Hicks, Platt, Thompson and Tripp—6.

Mr. Ellis, by leave, introduced the following resolution, which was adopted, to wit:

Resolved, That the hon. Henry Dodge, delegate in congress, be requested to obtain the passage of a law establishing a post route from Madison, in the county of Dane, territory of Wisconsin, by the way of Sun Prairie, Columbus, and Beaver Dam, to Waupun, in the county of Fond du Lac; also, establishing a post route from Fort Winnebago, county of Portage, by way of Green Lake, to Fond du Lac."

Mr. Olin moved that the house take up the petition presented by him on Saturday last, praying for the repeal of so much of the law of the territory as prohibits colored inhabitants from exercising the right of suffrage, and refer the same to the committee on the judiciary. And the question being but thereon,

It passed in the negative;

And the ayes and noes being called for by Mr. Olin,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Capron, Elmore, Grant, Hopkins, Hunkins, Masters, Olin, Platt, Thompson, and Trowbridge—12.

Those who voted in the negative, were

Messrs. Crossman, Darling, Ellis, Hicks, Long, Manahan, Messersmith, Mecker, Parsons, Price, Tripp, and Walker (speaker.)—12.

Mr. Manahan gave notice that on some future day, he should ask leave to introduce a bill, requiring the judges of probate to give bonds for the performance of their duties.

The undermentioned bills were taken up, and severally referred to the committee of the whole house, to wit:

On motion of Mr. Grant,

No. 34, (C) "A bill to authorize the president and trustees of the village of Southport to borrow money, and for other purposes."

On motion of Mr. Trowbridge,

No. 26, (C.) "A bill to authorize the erection of a bridge across Root river."

On motion of Mr. Meeker,

No. 38, (C.) "A bill to amend an act entitled 'an act to repeal an act entitled an act to incorporate the stockholders of the Bank of Mineral Point,' approved February 18th, 1842."

Thereupon the house resolved itself into the committee of the whole for the consideration of said bills;

Mr. Birchard in the chair;

And after a short time spent therein, the committee rose, and by their chairman reported said bills to the house without amendment;

Which were severally ordered to a third reading.

Mr. Platt gave notice, that on some future day he should ask leave to introduce a preamble and resolution, expressive of the rights and limitations believed to be conferred on the people of the territory and the legislature, by the ordinance of 1787, and the organic act of congress, creating this territory.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed, the following, to wit:

No. 29, (H.) "A bill to establish certain territorial roads therein named;"

No. 5, (H.) "Resolution relative to an allowance to Daniel Baxter."

Mr. Long, from the committee on enrolled bills, reported the undermentioned as correctly enrolled, to wit:

No. 22, (H.) "A bill to authorize the register of deeds of Green county to procure certain copies of records in the offices of the registers of deeds of Milwaukee and Iowa counties;"

Which was signed by the speaker.

On motion of Mr. Elmore,

Ordered, that so much of the sixteenth rule of the house as prohibits bills and resolutions from receiving their second and third reading on the same day, be suspended in relation to resolution No. 5, (H.) entitled "Resolution relative to an allowance to Daniel Baxter;"

Which was then read the third time.

And pending the question on the passage thereof,

On motion of Mr. Elmore,

A call of the house was made, when Messrs. Agry, Palmer, and Hunkins, were reported to be absent.

On motion of Mr. Ellis,

Ordered, that Mr. Palmer be excused from attendance.

The sergeant-at-arms was then sent to notify Messrs. Agry and Hunkins, that their attendance was desired in the house.

Messrs. Agry and Hunkins having appeared in their seats,

On motion of Mr. Capron,

Further proceedings in the call of the house, were dispensed with.

And the question was then put on the passage of said resolution,

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Tripp,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Parsons, Platt and Walker (speaker)—14.

Those who voted in the negative were,

Messrs. Bartlett, Capron, Elmore, Hicks, Hopkins, Messersmith, Olin, Price, Thompson, Tripp, and Trowbridge—11.

The title to said resolution was then agreed to.

On motion of Mr. Meeker,

The house adjourned.

WEDNESDAY, January 17, 1844.

On motion of Mr. Platt,

Ordered, that the reading of so much of the journal as includes the veto messages of the governor, which were spread upon the journal on yesterday, be dispensed with.

The journal was then read, excepting the messages aforesaid.

The speaker laid before the house the undermentioned communications,

Which were referred to the committee on the judiciary, to wit:

The memorial of the board of supervisors of the county of Milwaukee, praying for the passage of a law, making the office of

clerk of the board of supervisors elective by the people, and that he be made liable to give bonds for the performance of his duties, and submitting a bill to be adopted for that purpose;

The memorial of the board aforesaid, for the passage of a law, authorizing the town of Summit to assess and collect the tax which said town has failed and neglected to collect, for the year 1842;

The memorial of the same board aforesaid, praying for the amendment of the laws for the relief of the poor in this territory, and especially in the counties which have adopted the township system of government, so that the expense of maintaining the poor may be made a county charge.

Mr. Darling presented the accounts of George Messersmith, for fees as sheriff in certain territorial suits;

Which was referred to the committee on territorial expenditures.

Mr. Hicks, by leave, introduced a memorial, which was read the first and second time, to wit:

No. 6, (H.) "Petition to the congress of the United States, praying for the passage of a law to enable the inhabitants of the territory of Wisconsin to form a constitution and state government."

Mr. Hunkins presented the petition of George O. Tiffany and others, of Milwaukee, relative to the expenses of surveying partition lines;

Which was referred to the committee on the judiciary.

Mr. Ellis presented the account of H. O. Sholes for publishing militia orders;

Which was referred to the committee on territorial expenditures.

Mr. Ellis also presented the petition of the inhabitants of the county of Calumet, praying for the formation of a new town to be called "Stockbridge;"

Referred to the committee on corporations.

Mr. Capron, by leave, introduced the undermentioned resolution, to wit:

Resolved, That the hon. Henry Dodge, delegate in congress, be requested to obtain the passage of a law to establish a post route from Madison, Dane county, Wisconsin territory, to Fort Atkinson, in Jefferson county, to connect with a post route already established from the last mentioned place, via. Whitewater and Elkhorn, in Walworth county, to Geneva, in said county;

Which was read and adopted.

Mr. Platt, by leave, introduced the undermentioned resolution, to wit:

Resolved, That a select committee of three be appointed by the speaker, whose duty it shall be to ascertain the cost already made against the territory in the different suits against Doty, Bird, O'Neill, and Morrison, either individually or collectively; and also the amount of costs prospectively to accrue by reason of the employment of additional counsel by the superintendent of territorial property; also to find the amount claimed to be due from said individuals, either separately or collectively;

Which was adopted.

The speaker laid before the house a communication from the hon. Henry Dodge, acknowledging the receipt of a joint resolution, for the establishment of a mail route from Milwaukee, via. Mukwonego, Whitewater and Fort Atkinson, to Mineral Point;

Which was read and laid on the table.

Mr. Masters presented the account of William N. Seymour, for fees in the suits of the territory;

Which was referred to the committee on territorial expenditures.

Mr. Ellis, from the committee to which the subject was referred, made the following report:

"The committee of conference, to which was referred the disagreeing vote of the two houses on resolution No. 15, (H.) relative to adjournment, recommend that the house concur in the amendment of the council, with the following amendment: strike out '23d' and insert '29th, at 7 o'clock, A. M.,' and that the council concur in such amendment of the house to the amendment of the council."

Mr. Grant, a minority of the said committee, dissented to the said report.

And the question being put on the adoption of the said report,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Darling, Ellis, Elmore, Hopkins, Hunkins, Manahan, Meeker, Olin, Parsons, Price, Tripp and Walker (speaker)—13.

Those who voted in the negative were,

Messrs. Agry, Capron, Crossman, Grant, Hicks, Long, Masters, Messersmith, Palmer, Platt, Thompson and Trowbridge—12.

Mr. Ellis, from the committee on corporations, to which a petition was referred, reported the following bill;

Which was read the first and second time, to wit:

No. 37, (H.) "A bill to authorize Jared Lake and his associates to build and maintain a wharf."

Mr. Ellis, from the same committee, to which a petition was also referred, reported a bill;

Which was read the first and second time, to wit:

No. 38, (H.) "A bill to authorize Clovis A. La Grave to keep a ferry."

Mr. Trowbridge, by leave, introduced a bill, to wit:

No. 39, (H.) "A bill to incorporate the Burlington Academy, in the village of Burlington;"

Which was read the first and second time.

Bills on their passage being announced, the undermentioned were severally read the third time, passed, and their titles agreed to, to wit:

No. 29, (H.) "A bill to establish certain territorial roads therein named."

No. 26, (C.) "A bill to authorize the erection of a bridge across Root river;"

No. 34, (C.) "A bill to authorize the president and trustees of the village of Southport to borrow money, and for other purposes;"

No. 38, (C.) "A bill to amend an act entitled an act to repeal an act entitled an act to incorporate the stockholders of the bank of Mineral Point, approved February 18th, 1842."

The house then proceeded to the special order of the day, being the reconsideration of "An act to amend the act to provide for the election of sheriffs, judges of probate, and justices of the peace, and for other purposes;"

And the message of the governor, returning the said bill with objections.

On motion of Mr. Capron,

A call of the house was made, and the sergeant-at-arms sent to procure the attendance of Messrs. Birchard, Darling, Hicks, Platt and Tripp.

Several of the said members sent for, having appeared in their

seats, further proceedings in the call of the house were dispensed with.

On motion of Mr. Elmore,

Ordered, that the said bill and message do lie on the table until to-morrow.

On motion of Mr. Hopkins,

The following resolution was taken up, to wit:

"*Resolved*, That from and after this day, the daily sessions of the house of representatives shall commence at nine o'clock, A. M., and at 2 o'clock, P. M., and that when it adjourn, it adjourn to meet at half past 2 o'clock this afternoon."

Mr. Hunkins moved to amend by striking out "nine o'clock."

And pending the question thereon, and

On motion of Mr. Capron,

The said resolution was laid on the table until Friday next;

And the ayes and noes having been called for by Mr. Hopkins, on the said question,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Hicks, Long, Manahan, Masters, Messersmith, Palmer, Parsons, Platt, Price, Thompson, Tripp, Trowbridge, and Walker (spk'r)—20.

Those who voted in the negative were,

Messrs. Elmore, Grant, Hopkins, Hunkins, Meeker and Olin—6.

The undermentioned bills and memorial were severally referred to the committee of the whole house, to wit:

On motion of Mr. Hicks,

No. 3, (H.) "Memorial to congress asking for a reduction on letter postage, and for the abolishment of the franking privilege."

On motion of Mr. Platt,

No. 42, (C.) "A bill to authorize school district No. 1, in the town of Lancaster to levy a tax."

On motion of Mr. Hunkins,

No. 31, (C.) "A bill to amend certain acts relative to the counties of Dodge and Washington."

Thereupon the house resolved itself into the committee of the whole house for the consideration of said bills and memorial,

Mr. Darling in the chair;

And after some time spent therein, the committee rose, and by their chairman reported said bills and memorial to the house without amendment,

The said bills were then severally ordered to the third reading.

Mr. Hunkins moved that memorial No. 3 be indefinitely postponed;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Thompson, Trowbridge, and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Agry, Hicks, Hopkins, Messersmith, Palmer, Platt, Price, and Tripp—8.

On motion of Mr. Meeker,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 41, (C.) "A bill to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point,' approved January 11th, 1844."

Thereupon the house went into the committee of the whole house on said bill,

Mr. Hunkins in the chair:

And after a short time spent therein, the committee rose, and by their chairman reported said bill to the house, without amendment;

Which was then ordered to the third reading.

On motion of Mr. Hunkins,

Ordered, that the petition presented by Mr. Olin, on Saturday last, praying for the repeal of so much of the law of the territory as prohibits colored inhabitants from exercising the right of suffrage, be taken up and referred to the committee on the judiciary.

The undermentioned bills and resolution were severally referred to the committee of the whole house, to wit:

On motion of Mr. Elmore,

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes," and

No. 28, (C.) "A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes;"

On motion of Mr. Ellis,

The resolution offered by him on yesterday, relative to the amendment of the rules of the house.

Thereupon, the house considered said bills and resolution in the committee of the whole house,

Mr. Tripp in the chair:

And after some time spent therein, reported bill No. 28, and the resolution, without amendment; and that they had made progress in bill No. 7, and desired leave to sit again for the consideration thereof.

Bill No. 28 was ordered to the third reading, and leave granted to sit again for the consideration of bill No. 7.

Pending the question on the adoption of said resolution,

Mr. Hopkins moved a call of the house; when,

On motion of Mr. Darling,

The house adjourned.

THURSDAY, January 18, 1844.

Mr. Grant, from the minority of the joint select committee to which so much of the governor's message was referred as relates to the formation of a state government, by leave made a report. [SEE APPENDIX.]

Mr. Hunkins, from the committee on enrolled bills, reported that they did, on this day, present to the governor for his approval,

"An act to authorize the register of deeds of Green county to procure certain copies of records in the offices of the register of deeds of Milwaukee and Iowa counties."

A message from the governor, by his private secretary, Mr. Charles Doty:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

Mr. Thompson moved that the reading of the report made by Mr. Grant be dispensed with,

And the question being put,

It passed in the negative.

And the clerk having nearly completed the reading of the said report, it was,

On motion of Mr. Darling,

Ordered, that the further reading of said report be dispensed with.

On motion of Mr. Thompson,

Ordered, that the said report do lie on the table, and that seven hundred copies thereof be printed.

Mr. Agry, from the committee on the judiciary, to which was referred the petition of George O. Tiffany and others, for the passage of a law compelling the several owners of a section of land to pay a proportion of the expenses of a survey thereof, reported that they had had the same under consideration, and that the object of the petitioners seemed to be just and equitable, and when considered without reference to the means necessary to carry it into effect, there appears to be no objections to the passage of a law conformable to their requests. But in devising the mode of compelling and securing the payment of the expenses of such surveys, the committee found great difficulty in adopting any measure that would effect those objects in such manner as to prevent ill will and litigation among neighbors, or to avoid embarrassing liens upon the land itself. The committee, therefore, came to the conclusion, that the practical inconvenience of granting the prayer of the petitioners would greatly overbalance the advantages to be derived therefrom, and that the owners of small parcels of land should submit to an evil necessarily incident to the present circumstances of the country, and which can only be remedied by inflicting injury upon others.

Therefore, the committee are of opinion that the prayer of the petitioners ought not to be granted.

On motion of Mr. Platt,

Ordered, that the report be accepted and the committee discharged from the further consideration thereof.

Mr. Agry, also from the same committee, to which was referred the petition of George W. Moody and twenty-six other inhabitants of Sheboyagan county, praying for the repeal of an act relative to the county officers of Sheboyagan county, approved January 13th 1840; and also the remonstrance of David Giddings, and twenty-

five others, inhabitants of said county, against such repeal, reported:

"That they had had the same under consideration, and that the act referred to in the above mentioned petition and remonstrance permits the several officers of said county to keep their offices at Sheboyagan Falls, as well as at the town of Sheboyagan, the county seat.

In the opinion of the committee, the consideration of convenience, which induced the passage of the law in question, still remains in full force, and though a difference of opinion exists in relation to that law, a majority of the citizens of Sheboyagan county, so far as there is evidence before the committee, are in favor of retaining it.

The committee therefore are of the opinion that the prayer of the petitioners ought not, at present, to be granted."

On motion of Mr. Hunkins,

Ordered, that the report be accepted and the committee discharged from the further consideration thereof.

Mr. Agry, also from the same committee, to which was referred the memorial of the board of supervisors of Milwaukee county, requesting the passage of a law making the office of the clerk of the board of supervisors of that county elective, and also the memorial of M. B. Cushing, clerk of the board of supervisors, asking for the passage of a bill therewith presented, providing for the liberal payment of said clerk for his services, reported:

"That they had had the same under consideration, and that the object of the petitions, &c., is substantially embraced in the provisions of a bill now before the legislative assembly, entitled 'A bill providing for the election of clerks of boards of supervisors, and for other purposes.' Therefore, the committee are of the opinion, that it is not expedient to take any action in relation to the subject matter of the said petitions, &c."

On motion of Mr. Platt,

Ordered, that the report be accepted and the committee discharged from the further consideration thereof.

A message from the council by their secretary:

"Mr. Speaker: The council have laid on the table

No. 19, (H.) 'A bill to divorce Webster Pease from his wife, Lucinda Peas,'

Until the petitioner, Webster Pease, furnish satisfactory proof

to the council that he has notified Lucinda Pease of the pendency of said bill.

And have adopted the joint report of the committee of conference appointed to confer on the disagreement of the two houses on resolution

No. 15, (H.) 'Resolution relative to the adjournment of the present session of the assembly;'

And have concurred in

No. 22, (H.) 'Resolution relative to the election of a superintendant of territorial property;'

And have passed

No. 48, (C.) 'A bill to organize the county of Dodge, and to provide for locating the seat of justice of the same;'

In which I am directed to ask the concurrence of this house."

The speaker laid before the house the message of the governor, received this morning, notifying the house that he had on this day approved and deposited in the office of the secretary of the territory

"An act to authorize the register of deeds of Green county to procure certain copies of records in the offices of the register of deeds of Milwaukee and Iowa counties."

The message from the council, received this morning, was taken up, when the undermentioned bill was read the first and second time, to wit:

No. 48, (C.) "A bill to organize the county of Dodge, and to provide for locating the seat of justice of the same."

On motion of Mr. Crossman,

Ordered, that all rules of the house preventing the third reading and passage of said bill now, be suspended in reference thereto;

Which was then read the third time, passed, and the title thereof agreed to.

Bills on their passage being announced by the speaker,

The undermentioned were severally read the third time, passed, and their titles agreed to, to wit:

No. 31, (C.) "A bill to amend certain acts relative to the counties of Dodge and Washington;"

No. 41, (C.) "A bill to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point,' approved January 11, 1844;"

No. 42, (C.) "A bill to authorize school district number one, in the town of Lancaster, to levy a tax."

The undermentioned bill was read the third time, and

On motion of Mr. Ellis,

Was recommitted to the committee of the whole house, to wit:

No. 28, (C.) "A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes."

The speaker announced the appointment of Messrs. Platt, Agry and Meeker the select committee under the resolution offered by Mr. Platt, on yesterday, relative to the costs in certain territorial suits.

Mr. Hunkins moved to reconsider the vote by which the house adopted the joint report of the committee of conference on the disagreeing vote of the two houses relative to a

"Resolution relative to the adjournment of the present session of the assembly."

The speaker decided that it would not be in order to entertain the motion, the council having been notified of the adoption of the report, and the house having also been informed of the adoption of the report by the council.

The action of the two houses on the resolution is therefore complete and could not be affected by a consideration of one house, without the consent of the other to entertain such motion.

On motion of Mr. Elmore,

The house proceeded to the re-consideration of

"An act to amend the act to provide for the election of sheriffs, judges of probate and justices of the peace, and for other purposes;"

And the message of the governor containing his objections thereto; when,

On motion of Mr. Elmore,

A call of the house was made, and the messenger sent to notify Mr. Long that his attendance in the house was desired.

Mr. Long having appeared in his seat, further proceedings in the call of the house were dispensed with.

The question was then put,

"Will the house on reconsideration approve the said bill?"

And passed in the negative;

Two-thirds of the members of the house not having voted in the affirmative.

The ayes and noes were taken on said question, and

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Masters, Meeker, Olin, Parsons, Trowbridge and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Capron, Hicks, Hopkins, Manahan, Messersmith, Palmer, Platt, Price, Thompson and Tripp—10.

Mr. Hunkins, by leave, offered the following resolution:

Resolved, That a resolution entitled "Resolution relative to the adjournment of the present session of the assembly," (numbered 15, H. R. file) be not enrolled, nor presented to the governor for his approval, and that the council be acquainted with the passage of this resolution.

Mr. Darling rose to a question of order: the house could not entertain the resolution, to do so would conflict with the decision of the speaker in refusing to receive the motion to reconsider the vote adopting the joint report on the subject of the adjournment.

The chair decided that the resolution was in order, as it was merely giving a construction to the resolution that had been passed, which if signed by the governor would be binding upon the legislature.

Mr. Ellis also rose to a question of order: the house could not entertain the resolution as it conflicts with the spirit of the joint rules of the two houses, which provides that when a bill shall have passed the two houses it shall be duly enrolled, &c.

And pending the decision thereon,

A motion was made by Mr. Crossman, that the house do now adjourn until 2 o'clock, P. M., to-morrow; when,

Mr. Hunkins moved to adjourn;

And the question to adjourn being put,

It passed in the affirmative.

So the house adjourned.

FRIDAY, January 19, 1844.

Mr. Trowbridge, from the committee on roads, to which the petition of Justus Carpenter and others, praying for the passage of a law explanatory of the several act in relation to highways, was referred, reported that they had had the same under consideration, and that in their opinion the existing laws are sufficiently explicit upon the subject presented to the legislative assembly by the said petitioners, and that it is not expedient to legislate further thereon.

On motion of Mr. Palmer,

Ordered, that the report be accepted, and the committee discharged from the further consideration thereof,

On motion of Mr. Birchard,

Ordered, that he have leave to withdraw from the files of the house, the petition presented by him on Tuesday last, relative to the construction of a rail road from Racine to the county of Iowa.

Mr. Ellis, from the minority of the committee on corporations, to which was referred resolution

No. 3, (H) entitled "Resolution concerning the Wisconsin Marine and Fire Insurance Company together with a communication, submitting a bill, from Alexander Mitchell, secretary of said company, made a report. [SEE APPENDIX.]

Accompanied by the undermentioned resolution, to wit:

No. 23, (H.) "Resolutions relative to the Wisconsin Marine and Fire Insurance Company;"

Which were read the first and second time.

Mr. Hunkins moved that the report be accepted, the committee discharged from the further consideration thereof, and that four hundred and fifty copies be printed.

A division of the above question was called for by Mr. Parsons, when

The question was put on accepting the report and discharging the committee from the further consideration of the subject,

And it passed in the affirmative.

Pending the question on printing four hundred and fifty copies of the said report, and

On motion of Mr. Ellis,

Ordered, that leave be granted to the majority of said committee to make a report now:

Thereupon, Mr. Elmore, from a majority of said committee, made a report. [SEE APPENDIX.]

On motion of Mr. Ellis,

Ordered, that the report be accepted and the committee discharged from the further consideration thereof.

Mr. Ellis then moved, that seven hundred copies of the majority and minority reports of said committee, together with the accompanying documents, be printed, and that the same do lie on the table.

And the question being put thereon,

It passed in the affirmative.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 17, (C.) 'Resolution requesting the secretary to forward memorials to the delegate in congress,'

In which I am directed to ask the concurrence of this house.

And have passed

No. 16, (H.) 'Resolutions relative to the extinguishment of the Indian title to lands therein mentioned;' and

No. 24, (H.) 'A bill in relation to the qualification of voters for state government, and for the election of delegates to form a state constitution;' and

No. 29, (H.) 'A bill to establish certain territorial roads therein named;'

No. 28, (H.) 'A bill to organize the county of Fond du Lac for judicial purposes;'

No. 21, (H.) 'A bill to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee;'

No. 13, (H.) 'A bill to set off the several towns therein named;'

No. 28, No. 13, and No. 29, with amendments, in which I am directed to ask the concurrence of this house.

And have passed No. 40, (H.) 'A bill to amend an act concerning costs and fees;' also,

Memorial No. 8, entitled 'An address of the council and house of representatives of the territory of Wisconsin;'

In which I am directed to ask the concurrence of this house."

Mr. Platt, by leave, presented a remonstrance of inhabitants of

Grant county, against granting a ferry charter to C. A. La Grave;

Which was read and laid on the table.

Mr. Elmore, from the committee on legislative expenditures, reported the following bill,

Which was read the first and second time, to wit:

No. 40. (H.) "A bill to provide for the payment of the expenses of the legislative assembly therein mentioned."

On motion of Mr. Elmore,

Ordered, that so much of the 18th rule of the house as requires all bills and resolutions to be printed before they shall be considered in committee of the whole house, be suspended in reference to said bill No. 40.

Mr. Darling, by leave, introduced the following resolution, to wit:

"*Resolved*, That the journal of yesterday be amended so as to read as follows:

'Mr. Darling rose to a question of order, that the house could not entertain the resolution under the decision of the chair, that *the subject had been placed beyond the action of the house*, by reason of the council having been notified of the adoption of the report, and the house having also been informed of the adoption of the report by the council;'"

And the question being put on the adoption thereof,

It passed in the negative;

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative, were

Messrs. Birchard, Capron, Crossman, Darling, Ellis, Grant, Long, Masters, Meeker, Trowbridge, and Walker (spk'r.)—11.

Those who voted in the negative, were

Messrs. Bartlett, Elmore, Hopkins, Hunkins, Manahan, Olin, Palmer, Parsons, Platt, Price, Thompson, and Tripp—12.

Mr. Long, from the committee on enrolled bills, reported the undermentioned as correctly enrolled, which were severally signed by the speaker, to wit:

No. 17, (C.) "Resolution requesting the governor to supply the Wisconsin Dragoons, at Mineral Point, with arms;"

No. 31, (C.) "A bill to amend certain acts relative to the counties of Dodge and Washington;"

No. 34, (C.) "A bill to authorize the president and trustees of the village of Southport to borrow money, and for other purposes;"

No. 38, (C.) "A bill to amend an act entitled 'an act to repeal an act entitled an act to incorporate the stockholders of the Bank of Mineral Point,' approved February 18th, 1842;"

No. 41, (C.) "A bill to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point,' approved January 11th, 1844;"

No. 42, (C.) "A bill to authorize school district number one, in the town of Lancaster, to levy a tax;"

No. 48, (C.) "A bill to organize the county of Dodge, and to provide for locating the seat of justice of the same;"

No. 26, (C.) "A bill to authorize the erection of a bridge across Root river."

The message from the council was taken up, when the following resolution was read and adopted, to wit:

No. 17, (C.) "Resolution requesting the secretary of the territory to forward memorials to the delegate in congress."

And the undermentioned were read the first and second time, to wit:

No. 40, (C.) "A bill to amend an act entitled 'an act concerning costs and fees;'"

Memorial No. 8, (C.) "Address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States, relative to the infringement of the boundaries of Wisconsin."

On motion of Mr. Ellis,

Ordered, that bill No. 40, (C.) aforesaid be referred to the committee on the judiciary.

The amendments made by the council to the undermentioned bills, were severally read and concurred in, to wit:

No. 13, (H.) "A bill to set off the several towns therein named;"

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes;"

No. 29, (H.) "A bill to establish certain territorial roads therein named."

The house proceeded to the consideration of the unfinished business of yesterday, being the resolution offered by Mr. Hunkins, relative to No. 15, (H.) concerning the adjournment of the present session of the assembly;

When Mr. Ellis, by leave, withdrew the question of order submitted by him on yesterday.

A motion was then made by Mr. Elmore, that the said resolution be indefinitely postponed;

And the question being put,

It passed in the affirmative.

On motion of Mr. Hopkins,

The house took up the following resolution:

"*Resolved*, That from and after this day the daily session of the house of representatives shall commence at nine o'clock, A. M., and at two o'clock, P. M., and that when it adjourn, it adjourn to meet at half past 2 o'clock this afternoon."

Mr. Ellis moved to amend the resolution by inserting before "two o'clock," the words "half past;"

Which amendment was accepted by Mr. Hopkins.

Mr. Hunkins then moved to amend the resolution by striking out "nine," and inserting the word "ten" in lieu thereof;

Which amendment was also accepted by Mr. Hopkins.

Mr. Elmore then moved to strike out the word "ten" in the resolution and insert the word "nine" in lieu thereof, also, strike out all after the letters, "A. M."

And the question being put thereon,

It passed in the affirmative.

The question was then put, on the adoption of the resolution,

And passed in the affirmative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Manahan, Masters, Meeker, Palmer, Parsons, Platt, Price, Thompson, Tripp, and Trowbridge—23.

Those who voted in the negative were,

Messrs. Olin and Walker (speaker)—2.

On motion of Mr. Platt,

The house resolved itself into the committee of the whole house for the consideration of the following bills, to wit:

No. 4, (H.) "An address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States, concerning the mineral lands in the said territory;"

No. 5, (H.) "Address of the legislature to the secretary of the treasury of the United States in relation to the marshal of this territory," and

No. 26, (H.) "A bill to authorize the trustees of school district No. 1, in the town of Rochester, to collect certain moneys and pay over to district No. 8;"

Mr. Platt in the chair:

And pending the report of the committee thereon, the secretary of the council being announced, the speaker took the chair, when the following message was received:

"Mr. Speaker: I am directed to ask this house to transmit to the council, for their further action, memorial No. 8, entitled

'Address of the council and house of representatives of the territory of Wisconsin to the senate and house of representatives of the United States in relation to the infringement of the boundaries of Wisconsin.'"

The committee again resumed their session, and after a short time, rose and reported bill No. 26, (H.) without amendment, and that they had made some progress in the said memorials, and desired leave to sit again thereon.

Ordered, that said bill be engrossed for a third reading, and that the committee of the whole have leave to sit again for the consideration of the said memorials.

On motion of Mr. Hicks,

The message of the council requesting memorial No. 4, (C.) to be returned for their further action, was taken up.

Mr. Platt moved that the clerk be directed to transmit the said memorial to the council in accordance with their request.

When Mr. Ellis moved that the said message and motion of Mr. Platt do lie on the table.

And the question being put,

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Long, Manahan, Masters, Meeker, Parsons, Trowbridge, and Walker (speaker)—13.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Hicks, Hunkins, Olin, Platt, Price, Thompson, and Tripp—11.

A motion was then made by Mr. Agry that the house do now adjourn.

And the question being put,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Capron, Crossman, Elmore, Long, Manahan, Masters, Meeker, Price, Tripp, Trowbridge and Walker (speaker)—13.

Those who voted in the negative were,

Messrs. Bartlett, Darling, Ellis, Grant, Hicks, Hopkins, Hunkins, Olin, Palmer, Parsons, Platt, and Thompson—12.

So the house adjourned.

SATURDAY, January 20, 1844.

A call of the house was made on motion of Mr. Hunkins; when

Messrs. Agry, Birchard, Capron, Ellis, Grant, Long, Palmer, and Platt were reported to be absent.

On motion of Mr. Trowbridge,

Ordered, that Mr. Long be excused from attendance.

On motion of Mr. Price,

Ordered, that Mr. Capron be excused from attendance.

On motion of Mr. Olin,

Further proceedings in the call of the house were dispensed with.

Mr. Hunkins moved that the house do now adjourn, and that a call of the house be made upon the said motion.

The roll having been called, and Messrs. Agry, Ellis, and Palmer reported to be absent;

On motion of Mr. Hopkins,

Further proceedings in the call of the house were dispensed with.

Mr. Hunkins, by leave, withdrew his motion to adjourn.

The journal of yesterday was then read by the clerk.

Mr. Trowbridge presented the petition of the inhabitants of the town of Burlington, praying the passage of a law authorizing

said inhabitants to record all deeds and other writings relative to real estate, to be recorded in said town;

Which was referred to the committee on the judiciary.

Mr. Tripp presented the petition of R. O. Connor and forty-six other old bachelors of the town of Whitewater, praying for the repeal of all laws that hinder or embarrass them in forming matrimonial alliances;

And moved that said petition be referred to a select committee, to be composed of all the old bachelors of the house.

Pending the question on referring said petition,

On motion of Mr. Darling,

Ordered, that the same be laid on the table.

Mr. Elmore presented the account of M. C. Darling for fifteen days services as a committee of the legislative assembly, in June last, under joint resolutions of the two houses, for the purpose of effecting a settlement with the Milwaukee and Rock River Canal Company, and for the investigation of the affairs of the Wisconsin Marine and Fire Insurance Company;

Which was referred to the committee on legislative expenditures.

Mr. Hunkins, by leave, offered the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on the judiciary be required to report to this house, on all subjects heretofore submitted to them, on Monday next."

Mr. Ellis, by leave, introduced the undermentioned preamble and resolution, to wit:

Whereas, Wisconsin territory is entitled, whenever the people shall desire it, to become a sovereign, independent state, and as such to enter the Union on an equal footing in all respects with the other states;

Whereas, it is important that such independent sovereignty shall be assumed only upon mature deliberation, and entered into with such prudent forecast as to insure all the benefits and honors of that high privilege;

Whereas, Wisconsin now enjoys a liberal form of territorial government, the expenses of which are paid by the general government;

Whereas, the expenses of a state government would, in the existing situation of the population, as being recent settlers of a new country, fall too heavily on the people;

Whereas, the governor of this territory has, from time to time, by messages to the assembly, and proclamation to the people, urged upon us to repudiate our territorial government, and assume forthwith a state government;

Whereas, the people have uniformly, as far as their opinions are made known, refused to respond favorably to the recommendations of the governor, but have repudiated his measures;

Whereas, it is the duty of the legislature to carry out faithfully the will of the people, rather than to act in advance of, or to dictate to, that will; therefore,

Resolved, That the time has not yet arrived in Wisconsin, when "the happiness of the people or the prosperity of the country will be advanced by the adoption of a state government."

Mr. Ellis moved that the above preamble and resolution be laid on the table, and be made the special order of the day for Monday next.

Mr. Hopkins moved to amend the motion of Mr. Ellis by striking out the word "Monday," and inserting in lieu thereof the word "Thursday."

Pending the question on adopting the amendment proposed by Mr. Hopkins, and

On motion of Mr. Hunkins,

Ordered, that the preamble and resolution be laid on the table.

Mr. Crossman, from the committee on engrossed bills, reported the undermentioned as correctly engrossed, to wit:

No. 26, (H.) "A bill to authorize the trustees of school district No. 1, in the town of Rochester, to collect certain monies, and pay over to district No. 8."

Bills on their third reading were announced; when

The undermentioned was read the third time, passed, and the title thereof agreed to, to wit:

No. 26, (H.) "A bill to authorize the trustees of school district No. 1, in the town of Rochester, to collect certain monies, and pay over to district No. 8."

The undermentioned bill and memorials were severally referred to the committee of the whole house, to wit:

On motion of Mr. Elmore,

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors and for other purposes;"

On motion of Mr. Platt,

Memorial No. 4, (H.) "An address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States concerning the mineral lands in the said territory;" and

Memorial No. 5, (H.) "Address of the legislature to the secretary of the treasury of the United States, in relation to the marshal of this territory."

Thereupon, the house resolved itself into the committee of the whole house for the consideration of the said bill and memorials.

Mr. Platt in the chair.

Pending the report of the committee of the whole, the private secretary of the governor being announced, the speaker resumed the chair, when the following message was received, to wit:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

The committee again resumed its session, and after some time spent therein, rose and by their chairman reported the said bill with, and said memorials without amendments.

Pending the question on concurring in the amendments made by the committee of the whole house, to bill No. 7, (C.) and

On motion of Mr. Platt,

Ordered, that said bill and amendments be laid on the table.

And pending the question on ordering memorial No. 4 to be engrossed, and

On motion of Mr. Platt,

Ordered, that the same be laid on the table.

Mr. Ellis moved to amend memorial No. 5, by striking out the following words, in the 5th paragraph thereof, to wit:

"A former marshal of this territory has kept in his own pocket a large sum of money, drawn in the manner aforesaid from the treasury," and

The question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Hopkins, Hunkins, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Price, Tripp, Trowbridge, and Walker (sp'kr)—18.

Those who voted in the negative were,

Messrs. Elmore, Grant, Hicks, Palmer, Platt, and Thompson—6.

Mr. Darling moved to further amend said memorial by striking out the following words, to wit:

"Your memorialists wish to be distinctly understood as making no charge or insinuation against the present marshal of this territory. We only complain of the system, and the abuses under it."

And the question being put thereon,

It passed in the affirmative.

Mr. Darling moved to amend the said memorial by striking out the word "said" in the last line but one of the 5th paragraph, and inserting in lieu thereof the word "the."

And the question being put,

It passed in the affirmative.

On motion of Mr. Platt,

Ordered, that the said memorial do lie on the table.

A message from the council by their secretary:

"Mr. Speaker: The council have passed the following, in which I am directed to ask the concurrence of this house, viz:

No. 6, (C.) 'Memorial to congress for the adjustment of land titles, and the sale of the mineral lands in the Wisconsin land district;'

No. 50, (C.) 'A bill to change the name of Cyrus Manchester Hussey Burges to Cyrus Manchester Hussey Lay;'

No. 44, (C.) 'A bill to submit to the people of Wisconsin the question of the expediency of forming a state government;' and

No. 51, (C.) 'A bill to revive and amend an act entitled an act to incorporate the town of Plattville, approved February 19th, 1841.'"

Mr. Hunkins, from the committee on enrolled bills, reported, that they did on this day present to the governor for his approval, the following, to wit:

"An act to amend certain acts relative to the counties of Dodge and Washington;"

"An act to amend an act to incorporate the trustees of the village of Mineral Point, approved January 11th, 1844;"

"An act to authorize the president and trustees of the village of Southport to borrow money, and for other purposes;"

"An act to organize the county of Dodge, and to provide for locating the seat of justice of the same;"

"An act to authorize school district No. 1, in the town of Lancaster, to levy a tax;"

"An act to authorize the erection of a bridge across Root river;"

"An act to amend an act entitled an act to incorporate the stockholders of the Bank of Mineral Point, approved February 18th, 1842;" and

"Resolution requiring the governor to supply the Wisconsin Dragoons, at Mineral Point, with arms."

Mr. Masters, from the same committee, reported the following as correctly enrolled;

Which were signed by the speaker, to wit:

No. 16, (H.) "Resolution relative to the extinguishment of the Indian title to lands therein mentioned;"

No. 21, (H.) "A bill to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee;"

No. 28, (H.) "A bill to organize the county of Fond du Lac for judicial purposes;"

No. 24, (H.) "A bill in relation to the qualifications of voters for state government and for the election of delegates to form a state constitution."

The speaker laid before the house a message from the governor, enclosing a communication of Messrs. A. T. Crow, M. G. Johnson and others, a committee in behalf of citizens residing on lands within the state of Illinois, and claiming to be an integral part of Wisconsin when she shall become a state;

Which was read, when

Mr. Thompson moved that twelve hundred copies of the message of the governor and the communication submitted be printed;

And pending the question thereon,

Mr. Hunkins moved that the message and the motion to print do lie on the table;

And the question being put,

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Elmore, Grant, Hicks, Hunkins, Manahan, Masters, Meeker, Olin, Parsons, Price, and Walker (speaker)—15.

Those who voted in the negative were,

Messrs. Capron, Ellis, Hopkins, Messersmith, Platt, Thompson, Tripp and Trowbridge—8.

Mr. Hunkins, by leave, offered the following resolution;

Which was adopted, to wit:

Resolved, That the sergeant-at-arms be directed to prepare seats in this hall for the accommodation of the hon. the council, preparatory to the election of a superintendent of territorial property, and that the clerk inform said body, that this house is now ready to proceed to the said election.

Mr. Manahan, by leave, introduced a bill of the following title, to wit:

No. 41, (H.) "A bill to amend an act entitled an act establishing courts of probate, defining their duties," &c.,

Which was read the first and second time.

Mr. Platt, by leave, offered the following resolution, to wit:

Resolved, That the congress of the United States intended, in the ordinance of 1787, and in the organic act creating this territory, to furnish us with a liberal form of territorial government, and to pay the expenses thereof; and that all territorial officers, including the treasurer, auditor, attorney general, and superintendent of territorial property, and all other officers who now receive a salary, or are entitled to receive one as territorial officers, are unconstitutional, and that any debt hereafter created for any salary to said officers, of right ought not to be of any binding force on the people of Wisconsin.

On motion of Mr. Elmore,

The said resolution was ordered to lie on the table.

CONVENTION OF THE TWO HOUSES.

The council appeared in the representatives hall and took seats.

Mr. Newland moved that the convention proceed to the election of a superintendent of territorial property;

Which was agreed to.

Mr. Newland nominated John Y. Smith, as a suitable person to be supported for the said office.

On motion of Mr. Ellis,

Ordered, that two tellers be appointed to canvass the votes to be given for the said office.

The president appointed Mr. Frank of the council, and the speaker appointed Mr. Ellis of the house, the said tellers.

A motion was then made by Mr. Elmore, that a call of the convention be made.

And the question being put,

It passed in the negative.

And the votes having been taken and counted, the tellers appointed for the purpose, reported that thirty-one votes had been given for the said office; of which, John Y. Smith received twenty, blank eight, J. G. Knapp one, William N. Seymour one, and dont like to tax the territory one.

And thereupon the president of the convention declared that John Y. Smith, having received a majority of all the votes given, was duly elected superintendent of territorial property, for the year ensuing.

On motion of Moses M. Strong,

The convention dissolved.

On motion of Mr. Trowbridge,

The house adjourned until half-past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

On motion of Mr. Platt,

A call of the house was made, and the sergeant-at-arms sent to notify Messrs. Agry, Hicks, Messersmith, Price and Tripp, who were absent, that their attendance were desired in the house.

On motion of Mr. Darling,

Further proceedings in the call of the house were dispensed with.

Mr. Manahan moved that the house resolve itself into the committee of the whole house for the consideration of the undermened bill, to wit:

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes."

Mr. Ellis moved that the following bill be referred to the same committee, to wit:

No. 28, (C.) "A bill to provide for the punishment of the offence of trespass on the lands of individuals and for other purposes."

Mr. Trowbridge moved that the undermentioned bill be referred to the same committee, to wit:

No. 37, (H.) "A bill to authorize Jared Lake and his associates to build and maintain a wharf."

On motion of Mr. Platt,

A call of the house was then made, when Messrs. Agry, Hicks, Messersmith, and Price, were reported to be absent.

Mr. Darling moved that the absentees be excused from attendance;

Which was disagreed to.

The sergeant-at-arms was sent to notify Messrs. Agry, Hicks, Messersmith and Price, that their attendance was desired in the house.

Several of the absentees having taken their seats.

On motion of Mr. Grant,

Further proceedings in the call of the house were dispensed with.

The motion of Mr. Manahan to go into committee of the whole on said bills, was then put and agreed to.

Thereupon the house went into the committee of the whole house, for the consideration of said bills;

Mr. Price in the chair:

After some time spent therein, the committee rose, and by their chairman reported said bills, with amendments to each;

Which were concurred in by the house, and bill No. 28, ordered to the third reading, and bill No. 37, ordered to be engrossed.

Mr. Parsons moved that bill No. 31 do lie on the table;

And the question being put thereon,

It passed in the negative.

Mr. Thompson moved to amend the said bill, by striking out the first three sections thereof;

And the question being put,

It passed in the negative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative, were

Messrs. Hopkins, Price, Thompson, and Tripp—4.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Elmore,

Grant, Hicks, Hunkins, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Trowbridge, and Walker (spk'r.)—18.

Mr. Hunkins moved to amend said bill by striking out the 7th section thereof.

Mr. Parsons moved to amend the motion by striking out the words "who neglect or refuse to" before "shall," and the words "shall forever be debarred a recovery of such debt," in said section.

Which amendment was accepted by Mr. Hunkins.

Mr. Hicks moved that the bill be laid on the table till Monday next;

Which motion the speaker decided to be out of order.

Mr. Grant moved that the house do now adjourn;

Which was disagreed to.

Mr. Thompson moved that said bill and amendment do lie on the table;

And the question being put,

It passed in the affirmative.

Mr. Trowbridge offered a resolution to discontinue certain territorial suits;

Which the speaker decided, being of a general nature, could not be acted on without giving one days notice, and that the resolution would therefore lie over until to-morrow.

Mr. Ellis one of the tellers appointed by the two houses, in convention held this day, to canvass the votes given for the office of superintendent of territorial property reported, that thirty-one votes had been given for the said office.

Of which, John Y. Smith received twenty, blank eight, J. G. Knapp one, William N. Seymour one, and dont like to tax the territory one.

John Y. Smith having received a majority of all the votes given by the said convention was declared by the president thereof, to have been duly elected to the said office.

On motion of Mr. Meeker,

The house adjourned.

MONDAY, January 22, 1844.

The undermentioned petitions were severally presented and referred, to wit:

By Mr. Tripp: two petitions from the inhabitants of the town of Bark river, in the county of Jefferson, praying that a portion of said town may be set off, into a separate town to be called "Jackson;"

Referred to the committee on corporations.

By Mr. Masters: the petition of the inhabitants of town six north, in range sixteen east, in the county of Jefferson, praying for the organization of said town to be called "Sparta;"

Referred to the committee on corporations.

By Mr. Hunkins: the petition of the inhabitants of the town of Nemahbin, in the county of Milwaukee, praying that the name of said town be changed to "Delafield;"

Ordered, to be referred to a select committee, to be composed of three members.

By Mr. Long: the petition of Amos Hill and others, citizens of the county of Iowa, praying that said Hill be divorced from his wife Elizabeth J. Hill;

Referred to the committee on the judiciary.

Mr. Hunkins presented the account of J. A. Noonan, for printing for the use of the territory;

Which was referred to the committee on territorial expenditures.

The speaker laid before the house a communication from Messrs. Sheldon and Hyer, relative to printing;

Which was read, and

On motion of Mr. Elmore,

Was referred to the committee on legislative expenditures.

Mr. Crossman, from the committee on engrossed bills, reported to be correctly engrossed the undermentioned, to wit:

No. 37, (H.) "A bill to authorize Jared Lake and his associates to build and maintain a wharf."

Mr. Manahan, from the committee on territorial expenditures,

to which was referred sundry accounts, reported that said committee had allowed the following accounts, to wit:

Accounts of E. V. Whiton, John Catlin, Simeon Mills, William N. Seymour, George Messersmith and M. M. Jackson.

And had disallowed the following, to wit:

Of H. S. Baird, A. A. Bird, Arthur Bronson, Henry O. Sholes, George Beatty, J. Chadwick, and Alexander Mitchell.

On motion of Mr. Platt,

Ordered, that the report be accepted and the committee discharged from the further consideration of said accounts.

On motion of Mr. Ellis,

Ordered, that Messrs. Baird and Sholes severally have leave to withdraw their accounts.

On motion of Mr. Hunkins,

Ordered, that the judiciary committee, (which had been instructed to report all matters in their hands on to-day,) have one day longer in which to report.

Mr. Meeker from the committee on finance, to which the undermentioned bill had been referred, reported the same back to the house, without amendment, to wit:

No. 6, (H.) "A bill to provide for assessing and collecting the county revenue for the county of Grant."

Mr Meeker also, from the same committee, to which had been referred the report of the treasurer of the territory, reported the same to the house, without any action thereon, and moved that the committee be discharged from the further consideration of said bill and report,

Which was agreed to; when

On motion of Mr. Meeker,

Ordered, that said report of the treasurer be referred to the committee on territorial expenditures.

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled, the following:

Which were signed by the speaker, to wit:

No. 29, (H.) "A bill to establish certain territorial roads therein named;"

No. 13, (H.) "A bill to set off the several towns therein named."

Mr. Long, also, from the same committee, reported that they

did on this day present to the governor for his approval the following, to wit:

"Resolution relative to extinguishment of the Indian title to lands therein mentioned;"

"An act to organize the county of Fond du Lac for judicial purposes;"

An act in relation to the qualifications of voters for state government, and for the election of delegates to form a state constitution;" and

"An act to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee."

A message from the council, by their secretary:

"Mr. Speaker: The governor has notified the council that he did on the 20th inst. approve and deposite in the office of the secretary of the territory, bills of the following titles, to wit:

'An act to amend an act entitled an act to incorporate the trustees of the village of Mineral Point, approved January 11th, 1844;'

'An act to amend certain acts relative the the counties of Dodge and Washington.'

'An act to authorize the president and trustees of the village of Southport to raise money, and for other purposes;'

'An act to authorize the erection of a bridge across Root river.'

'An act to organize the county of Dodge, and to provide for the locating the seat of justice of the same;'

'An act to authorize school district No. 1, in the town of Lancaster, to levy a tax;' also,

'Resolution requiring the governor to supply the Wisconsin Dragoons, at Mineral Point, with arms.'

The council have passed

No. 43, (C.) 'A bill to postpone the payment of principal and interest moneys, due from purchasers of canal lands, and for other purposes,'

In which I am directed to ask the concurrence of this house."

Mr. Darling, from the committee on the judiciary, to which was referred bill No. 40, (C.) entitled "A bill to amend an act entitled an act concerning costs and fees," reported the same to the house with amendments.

And then said bill was read the second time.

The message from the council was taken up, when

The undermentioned were severally read the first and second time, to wit:

No. 6, (C.) "Memorial to congress for the adjustment of land titles, and the sale of the mineral lands in the Wisconsin land district;"

No. 50, (C.) "A bill to change the name of Cyrus Manchester Hussey Burgess to Cyrus Manchester Hussey Lay;"

No. 51, (C.) "A bill to revive and amend an act entitled an act to incorporate the town of Platteville, approved February 19th, 1841;"

No. 43, (C.) "A bill to postpone the payment of principal and interest moneys due from purchasers of canal lands, and for other purposes;"

No. 44, (C.) "A bill to submit to the people of Wisconsin the question of the expediency of forming a state government;" and

Mr. Ellis moved that said bill No. 44, (C.) be referred to the committee on territorial affairs.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Tripp,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Elmore, Meeker, and Price—5.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hicks, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, Tripp, Trowbridge, and Walker (speaker)—21.

Mr. Crossman moved that all rules of the house preventing the passage of said bill No. 44, (C.) be now suspended.

Mr. Darling, moved to amend the motion of Mr. Crossman, by adding thereto the words "and that the governor's signature approving said bill be affixed thereto,"

And called for the ayes and noes on said motion, when

Mr. Crossman, by leave, withdrew his motion.

Mr. Ellis moved that bill No. 43, (C.) be referred to the committee on territorial affairs.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Crossman, Ellis, Meeker, Price, and Trowbridge—8.

Those who voted in the negative, were

Messrs. Birchard, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, Tripp, and Walker (spk'r.)—18.

Bills on their third reading being announced, the following were read the third time, passed, and the title thereof agreed to, to wit:

No. 37, (H.) "A bill to authorize Jared Lake and his associates to build and maintain a wharf."

The undermentioned bill was read the third time, to wit:

No. 28, (C.) "A bill to provide for the punishment of the offence of trespass on the lands of individuals, and for other purposes."

And the question being put on the passage thereof,

It passed in the negative;

And the ayes and noes having been called for by Mr. Palmer,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Ellis, Elmore, Grant, Hopkins, Masters, Parsons, Thompson, Tripp, and Walker (spk'r.)—11.

Those who voted in the negative, were

Messrs. Agry, Capron, Crossman, Darling, Hicks, Hunkins, Long, Manahan, Messersmith, Meeker, Olin, Palmer, Platt, Price, and Trowbridge—15.

Mr. Manahan, by leave, introduced the following memorial:

Which was read the first and second time, to wit:

No. 7, (H.) "Memorial to the congress of the United States, relative to a United States road from Prairie du Chien to La Point on Lake Superior.

On motion of Mr. Elmore,

The house resolved itself into the committee of the whole house, for the consideration of the following bills,

Mr. Capron in the chair:

No. 27, (C.) "A bill prescribing the time of holding the annual session of the legislative assembly;"

No. 38, (H.) "A bill to authorize Clovis A. La Grave to keep a ferry;" and

No. 39, (H.) "A bill to incorporate the Burlington Academy, in the village of Burlington."

After some time spent therein, the committee rose, and reported the said bills without amendment.

Ordered, that bills Nos. 38 and 39 (H.) be engrossed for a third reading, and that bill No. 27 (C.) be ordered to a third reading.

On motion of Mr. Darling,

Ordered, that so much of the rules of this house as prohibits bill No. 27 (C.) from being read the third time, be suspended with reference to said bill.

Which was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Platt,

So much of the 16th rule as prohibits bills from being read the second time on the same day, was suspended with reference to bill No. 38, (H.)

And the said bill was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Trowbridge,

So much of the 16th rule of the house as prohibits bills from being read the second and third time on the same day, was suspended in reference to bill No. 39, (H.)

And the said bill was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. Elmore,

The house took up the following bill, to wit;

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes;"

And the question being put on agreeing to the amendments reported by the committee of the whole,

It passed in the affirmative.

The said bill was then ordered to a third reading.

On motion of Mr. Manahan,

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other other purposes," was taken up.

Pending the question on agreeing to the amendment moved by Mr. Hunkins, and

On motion of Mr. Elmore,

The said bill was recommitted to the committee of the whole house.

On motion of Mr. Meeker,

The following bills were referred to the same committee, to wit:

No. 30, (H.) "A bill to repeal an act regulating taverns and groceries;"

No. 35, (H.) "A bill to prevent disturbances and interruptions at camp meetings."

The house then resolved itself into the committee of the whole house, for the consideration of the said several bills,

Mr. Ellis in the chair;

And after some time the committee rose, and by their chairman reported bills Nos. 30 and 35 without, and No. 31 with amendments.

Bill No. 35 was ordered to be engrossed for a third reading.

Mr. Hunkins moved that bill No. 30 be indefinitely postponed;

And the question being put thereon,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Darling, Ellis, Grant, Hicks, Hopkins, Hunkins, Manahan, Messersmith, Palmer, and Price —15.

Those who voted in the negative, were

Messrs. Birchard, Crossman, Elmore, Long, Masters, Meeker, Thomson, Tripp, Trowbridge, and Walker (spk'r.)—10.

So the said bill was indefinitely postponed.

Pending the question on concurring in the amendments made by the committee of the whole house to bill No. 31, and

On motion of Mr. Crossman,

The house adjourned until half past two o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

A message from the council by their secretary:

"Mr. Speaker: The council have passed the following, in which I am directed to ask the concurrence of this house, to wit:

No. 39, (C.) 'A bill to incorporate the city of Milwaukee;'

No. 54, (C.) 'A bill to change the name of Cordelia Elvira Hood to Cordelia Elvira Burris, and to provide that the said Cordelia shall be the adopted child and legal heir of Martin V. Burris;' and

No. 23, (H.) 'A bill to authorize David Jones and Erastus Bailey to build and maintain a dam across the Pish-te-go river,' with amendments."

The speaker stated that the question pending before the house, was on concurring in the amendments made by the committee of the whole house to the undermentioned bill, to wit:

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes;" when,

On motion of Mr. Elmore,

A call of the house was made, and Messrs. Hunkins, Olin, Palmer, Platt, and Price, reported to be absent.

On motion of Mr. Bartlett,

Ordered, that Mr. Olin be excused from attendance in the house.

The sergeant-at-arms was sent to notify Messrs. Hunkins, Palmer, Platt and Price that their attendance was desired in the house;

Several of the absentees having appeared in their seats; and,

On motion of Mr. Elmore,

Further proceedings in the call of the house were dispensed with.

Mr. Hicks moved to amend said bill by striking out all after the enacting clause and inserting the following, to wit:

"Section 1. That all persons having in their possession any evidences of debt against the territory, shall present the same to the auditor of the territory, at Madison, for record, who shall record in a book to be kept by him for that purpose, the nature of the claims of indebtedness, acknowledged by the territory, by whom signed, and countersigned, when dated, the several amounts and to whom payable.

Sec. 2. The auditor shall place on all vouchers not returned after record such mark or device as will prevent a second registration.

Sec. 3. So much of any law of this territory as provides for the assessing and collecting a territorial revenue, is hereby repealed.

Sec. 4. The secretary of the territory shall cause to be published a correct copy of this act in all the weekly journals of this territory; and all paper charges for publishing the same shall be paid out of any money appropriated by congress to pay for printing the laws of the territory.

Sec. 5. The auditor shall receive for the services contemplated by this act such sum as the legislature may think just and proper;"

And the question being put on adopting said amendment,

It passed in the negative;

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Capron, Hicks, Hopkins, Messersmith, Thompson and Tripp—6.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Manahan, Masters, Meeker, Parsons, Platt, Trowbridge and Walker (speaker)—16.

A message from the governor by his private secretary, Mr. Charles Doty:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

Mr. Platt moved to amend said bill by inserting after the word "Wisconsin," in the second line of the printed bill, the following words, to wit: "and the act creating the office of attorney general, and also an act creating the office of superintendent of territorial property."

Mr. Elmore called for a division of the question:

The question was then put on agreeing to the first proposition contained in the proposed amendment relative to the attorney general; and

It passed in the negative.

And they ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Elmore, Grant, Hicks, Hopkins, Manahan, Palmer, Parsons, Platt and Thompson—12.

Those who voted in the negative were,

Messrs. Agry, Capron, Darling, Ellis, Hunkins, Long, Masters, Messersmith, Meeker, Price, Tripp, Trowbridge, and Walker (speaker)—13.

The question was then put on the second proposition contained in said amendment relative to the office of superintendent of territorial property; and

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Capron, Hicks, Hopkins, Messersmith, Palmer, Platt, Thompson and Tripp—9.

Those who voted in the negative were,

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Elmore,

Grant, Hunkins, Long, Manahan, Masters, Meeker, Parsons, Price, Trowbridge and Walker (speaker)—16.

The question was then put on agreeing to the amendment proposed by Mr. Hunkins, as modified by Mr. Parsons, on Saturday last; and

It passed in the negative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Darling, Elmore, Hopkins, Hunkins, Long, Messersmith, Meeker, Parsons and Trowbridge —12.

Those who voted in the negative were,

Messrs. Birchard, Crossman, Ellis, Grant, Hicks, Manahan, Palmer, Platt, Price, Thompson, Tripp and Walker (speaker)—12.

The amendments made by the committee of the whole house to said bill were then concurred in.

And pending the question on ordering said bill to the engrossed,

On motion of Mr. Hicks,

A call of the house was made, and all the members reported to be present except Mr. Olin, who had been previously excused.

On motion of Mr. Thompson,

Further proceedings in the call of the house were dispensed with.

Mr. Trowbridge moved that said bill be laid on the table until to-morrow;

Which was disagreed to.

Mr. Manahan moved to amend said bill by striking out the words "first day of December, 1844," in the third line of the 7th section thereof, and inserting in lieu thereof the words, "the tenth day of January, 1845;"

And the question being put on the adoption thereof;

It passed in the affirmative.

Mr. Agry moved a reconsideration of the vote by which the house refused to agree to the amendment offered by Mr. Hunkins;

And being put, it passed in the affirmative.

The question was then put on agreeing to the said amendment, and passed in the affirmative.

The question was then put on ordering the said bill to be engrossed;

And it passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Manahan, Masters, Meeker, Parsons, Platt, Thompson, Trowbridge and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Hicks, Hopkins, Messersmith, Palmer, Price and Tripp—9.

On motion of Mr. Trowbridge,

No. 24, (H.) "Resolution to discontinue certain territorial suits,"

Was read the first and second time.

The speaker announced the appointment of Messrs. Hunkins, Thompson and Elmore the select committee to which a petition was referred relating to the name of the town of Nemahbin.

Mr. Elmore, by leave, presented the account of J. & L. Ward for stationery purchased at a former session of the legislature, and documents accompanying the same;

Which were referred to the committee on legislative expenditures.

Mr. Crossman, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 35, (H.) "A bill to prevent disturbances and interruptions at camp-meetings."

The speaker laid before the house a message from the governor notifying the house that he had on this day approved and deposited in the office of the secretary of the territory, the following:

"An act in relation to the qualifications of voters for state government, and for the election of delegates to form a state constitution;"

"An act to authorize the construction of a bridge across the Milwaukee river, in the town of Milwaukee;"

"An act to organize the county of Fond du Lac for judicial purposes;" and

"Resolution relative to the extinguishment of the Indian title to lands therein mentioned."

Mr. Hunkins, by leave, offered the following resolution;

Which was adopted, to wit:

Resolved, by the council and house of representatives of the territory of Wisconsin, that our delegate in congress be and here-

by is instructed to endeavor to procure an appropriation of five thousand dollars for the improvement of the road leading from Milwaukee through the towns of Greenfield, New Berlin, and Vernon to Muquonego, and commonly known as the Muquonego road.

Mr. Hunkins, from the select committee to which a petition was referred, by leave reported a bill, viz:

No. 42, (H.) "A bill to change the name of the town of Nemahbin, in the county of Milwaukee;"

Which was read the first and second time.

On motion of Mr. Hicks;

The house resolved itself into the committee of the whole house for the consideration of the following memorial and bills, to wit:

No. 6, "Petition to the congress of the United States praying for the passage of a law to enable the inhabitants of the territory of Wisconsin to form a constitution and state government;"

No. 6, "A bill to amend an act entitled an act to amend an act to incorporate the Fox River Hydraulic Company;"

No. 2, (H.) "A bill concerning the time of commencing actions, and for other purposes;"

Mr. Darling in the chair:

After some time spent therein, the committee rose and reported bill No. 2 and memorial No. 6 with amendments, and bill No. 6 without amendment.

On motion of Mr. Hunkins,

Ordered, that bill No. 6 do lie on the table.

The amendment to bill No. 2 were then agreed to.

When Mr. Ellis moved that the said bill be indefinitely postponed.

And the question being put,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affimative were,

Messrs. Bartlett, Ellis, Hicks, Platt, and Price—5.

Those who voted in the negative were,

Messrs. Agry, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Palmer, Parsons, Thompson, Tripp, Trowbridge, and Walker (speaker)—20.

The said bill was then ordered to be engrossed.

On motion of Mr. Ellis,

Memorial No. 6 was ordered to lie on the table.

Mr. Platt, by leave, introduced a bill, which was read the first and second time, to wit:

No. 43, (H.) "A bill to provide for the leasing of school sections."

Mr. Hicks, by leave, introduced a bill, which was read the first and second time, to wit:

No. 44, (H.) "A bill to provide for the settlement of the indebtedness of the territory."

On motion of Mr. Manahan,

The house took up the following memorial, and suspended the 18th rule in reference to it, to wit:

No. 4, (C.) "Memorial to congress praying for the evacuation of Fort Crawford."

Mr. Manahan moved that the said memorial be indefinitely postponed.

And the question being put,

It passed in the affirmative.

Mr. Elmore presented the account of Charles Doty for services as clerk in the executive office;

Which was referred to the committee on legislative expenditures.

Mr. Capron moved that the house do now adjourn;

And the question being put,

It passed in the negative.

And the ayes and noes being called for,

Those who voted in the affirmative were,

Messrs. Agry, Capron, Crossman, Ellis, Long, Messersmith, Meeker, Palmer, Price, and Tripp—10.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Manahan, Masters, Parsons, Platt, Thompson, Trowbridge, and Walker (speaker)—15.

Mr. Ellis gave notice that he should, on a future day, introduce a bill to punish trespass upon lands.

On motion of Mr. Hunkins,

The house adjourned until half past six o'clock, P. M.

HALF-PAST SIX O'CLOCK, P. M.

On motion of Mr. Platt,

Ordered, that so much of the 18th rule of the house as prohibits bills and resolutions from being considered in the house before being printed, be suspended in reference to bill No. 43, (H.) "A bill to provide for the leasing of school sections."

On motion of Mr. Trowbridge,

Ordered, that so much of the 18th rule of the house as prohibits bills and resolutions from being considered in the house before being printed, be suspended in reference to resolution No. 24, (H.) "Resolution to discontinue certain territorial suits."

The message from the council was taken up, when

The undermentioned bills were severally read the first and second time, to wit:

No. 54, (C.) "A bill to change the name of Cordelia Elvira Hood to Cordelia Elvira Burris, and to provide that said Cordelia shall be the adopted child and legal heir of Martin V. Burris;"

No. 39, (C.) "A bill to incorporate the city of Milwaukee."

The amendments made by the council to bill No. 23, (H.) "A bill to authorize David Jones and Erastus Baily to build and maintain a dam across the Pish-te-go river," were read, when

On motion of Mr. Hopkins,

Ordered, that said bill and amendments do lie on the table.

On motion of Mr. Hunkins,

Ordered, that the undermentioned bill be referred to the committee of the whole house, to wit:

No. 39, (C.) "A bill to incorporate the city of Milwaukee."

On motion of Mr. Trowbridge,

Ordered, that the undermentioned memorial be referred to the committee of the whole house, to wit:

No. 8, (C.) "Address of the council and house of representatives of the territory of Wisconsin to the senate and house of representatives of the United States, relative to the infringement of the boundaries of Wisconsin."

Thereupon, the house resolved itself into the committee of the whole house for the consideration of said bill and memorial;

Mr. Platt in the chair:

And after some time the committee rose and reported that they had made some progress in said bill and memorial and desired leave to sit again for their further consideration.

Leave was granted.

And then the house adjourned.

TUESDAY, January 23, 1844.

The clerk having proceeded at some length in reading the journal, when

On motion of Mr. Hicks,

Ordered, that the further reading of the journal be dispensed with.

Mr. Elmore presented the account of LeGrand Rockwell, clerk of the district court of Walworth county for costs, accrued in territorial suits;

Which was referred to the committee on territorial expenditures.

Mr. Ellis, by leave, introduced the undermentioned resolution, to wit:

"*Resolved,* That the clerk of this house be directed to transmit to the hon. the council, the petition of the citizens of Brown county, praying for the passage of a law, to enable the register of deeds of said county to hold his office at Green Bay, with a respectful request that the same be read before the council, also,

That the council be requested to inform this house, whether any remonstrances have been presented to the council, against the enactment of such law;"

Which was read and adopted.

Mr. Crossman, from the committee on engrossed bills, reported the undermentioned as correctly engrossed, to wit:

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes," and

No. 2, (H.) "A bill concerning the time of commencing actions and for other purposes."

Mr. Agry, from the committee on the judiciary, to which was referred the petition of inhabitants of the county of Washington, relative to the expenses paid to the county of Milwaukee on account of being attached to said county for judicial purposes, reported that the prayer of the petitioners ought not to be granted, and moved that the report be accepted and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Agry, also from the same committee, to which was referred the petition of the county commissioners of Dane county, praying that the expenses of the prosecution of James R. Vineyard may be paid by the territory, reported that in the opinion of the committee it would not be expedient to grant the prayer of the petitioners.

And moved that the report be accepted, and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Agry, also from the same committee, to which was referred the undermentioned resolution, to wit:

"*Resolved*, That the committee on the judiciary, inquire into the expediency of imposing penalties for cutting timber, and for other injuries on lands purchased of the United States."

Reported that the committee did not deem it expedient to take any action on said resolution, as the subject of the same had since the reference been substantially incorporated into a bill now before the house.

And moved that the report be accepted and the committee discharged;

Which was agreed to.

Mr. Agry, also from the same committee, to which was referred bill No. 27, (H.) entitled "A bill to prohibit the circulation of the bills of foreign banks within the limits of the territory of Wisconsin;"

Reported the same to the house without any action thereon.

And moved the report be accepted and the committee discharged from the further consideration thereof;

Which was agreed to.

Mr. Hunkins then moved that said bill No. 27, be referred to

a select committee of one, to be composed of the person who introduced it.

And the question being put thereon,

It passed in the negative.

Mr. Agry, also from the same committee, to which was referred bill No. 34, (H.) entitled "A bill to authorize the people to vote at the next general election, for or against the formation of a state government;"

Reported the same to the house without any action thereon.

And moved that the report be accepted and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Agry, also from the same committee, to which was referred bill No. 15, (C.) entitled "A bill to repeal an act entitled an act for the relief of insolvent debtors," approved January 13th, 1840;

Reported the same to the house, with the recommendation that said bill be indefinitely postponed.

And the question being put, on agreeing to the report of the commmittee;

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Long, Manahan, Masters, Messersmith, Meeker, Platt, Price, Thompson, Trowbridge and Walker (speaker)—19.

Those who voted in the negative, were

Messrs. Elmore, Hicks, Hunkins, Olin, Parsons, and Tripp—6.

So the said bill was indefinitely postponed.

Mr. Agry, also from the same committee, to which was referred No. 24, (C.) "A bill to amend an act concerning justices of the peace, and for other purposes,"

Reported said bill without any action;

And moved that the report be accepted and the committee discharged from the further consideration of the same,

Which was agreed to.

Mr. Ellis, from the committee on corporations, reported the following bills,

Which were read the first and second time, to wit;

No. 45, (H.) "A bill to erect the towns of Jackson and Palmyra;"

No. 46, (H.) "A bill to punish trespass on lands."

On motion of Mr. Elmore,

So much of the 18th rule of the house as requires bills to be printed on the second reading, was suspended in reference to said bills.

Mr. Elmore, from the committee on legislative expenditures, to which the communication of Messrs. Sheldon & Hyer was referred, reported that it was inexpedient to consider the said communication at the present time;

Which report was accepted and the committee discharged from further consideration thereof.

Mr. Elmore, from the same committee, by leave reported a bill which was read the first and second time, and the 18th rule, requiring the same to be printed, was suspended in reference to the same, to wit:

No. 47, (H.) "A bill to provide for the payment of the expenses of the legislative assembly, and for other purposes."

Mr. Long, from the committee on enrolled bills, reported that they did, on this day, present to the governor for his approval,

"An act to set off the several towns therein named;" also,

"An act to establish certain territorial roads therein named."

The speaker laid before the house the annual report of the auditor of the territory, accompanied by the report of the auditor and treasurer, in answer to a resolution passed at the last session, relating to the indebtedness of the territory. [See Appendix.]

And the clerk having proceeded to read the said report,

A motion was made by Mr. Ellis, that the further reading of the report be dispensed with, and the report referred to a select committee with instructions to inquire into the prospect of getting the same printed and the number of copies it is expedient to print.

Mr. Platt moved to amend the said motion, as follows:

"That five hundred copies of the report of the auditor be printed in the English language, and the same number in the German language."

Mr. Crossman moved to amend the amendment, by adding, after the word "language," "three thousand copies in the Norwegian language, for the benefit of the Norwegians."

Mr. Elmore called for the previous question;

And the question being put,

It passed in the affirmative.

The main question was then put,

And passed in the affirmative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—21.

Those who voted in the negative, were

Messrs. Hicks, Hopkins, Palmer, Platt, and Price—5.

Mr. Ellis, by leave, introduced the following resolution, which,

On motion of Mr. Platt,

Was laid on the table until to-morrow, at two o'clock, P. M., to wit:

"*Resolved*, by the council and house of representatives of the territory of Wisconsin, that this assembly is not required to be governed by the disbursement of the appropriation made by congress for the expenses of said assembly, by any estimates which may have been submitted to congress, either by the governor of this territory or the secretary of the treasury."

On motion of Mr. Platt,

Ordered, that the select committee to be appointed, to which the auditor's report is referred, be instructed to report to-morrow morning.

Bills on their third reading being announced by the speaker,

The undermentioned were severally read the third time, passed, and their titles agreed to, to wit:

No. 35, (H.) "A bill to prevent disturbances and interruptions at camp meetings;"

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes;"

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes."

On the question of the passage of bill No. 31, aforesaid, a division was called,

And there were ayes 13, noes 9.

A message from the governor by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed by the governor to present to the house a message in writing."

The undermentioned bill was read the third time, to wit:

No. 2, (H.) "A bill concerning the time of commencing actions, and for other purposes;"

When Mr. Ellis moved that said bill do lie on the table;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Ellis, Hicks, Long, Messersmith, Meeker, Olin, Platt, Price, and Thompson—11.

Those who voted in the negative, were

Messrs. Agry, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Manahan, Masters, Palmer, Parsons, Thompson, Tripp and Walker (spk'r.)—14.

The question was then put on the passage thereof;

And it passed in the affirmative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Agry, Birchard, Crossman, Darling, Elmore, Grant, Hopkins, Manahan, Masters, Meeker, Olin, Palmer, Parsons, Tripp, and Trowbridge—15.

Those who voted in the negative, were

Messrs. Bartlett, Capron, Ellis, Hicks, Long, Messersmith, Platt, Price, and Walker (spk'r.)—9.

Pending the question on agreeing to the title of said bill,

Mr. Ellis moved to amend the same by striking out all after the word "bill," and inserting in lieu thereof the words, "to defraud non-residents out of their lands;"

And the question being put on the adoption thereof,

It passed in the negative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Ellis, Hicks, Long, Messersmith, Platt, and Price—5.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Manahan, Masters, Meeker, Olin, Palmer, Parsons, Tripp, Trowbridge, and Walker (speaker) —17.

Mr Darling then moved to amend the title so as to read;

"A bill relating to real actions, and for other purposes;"

And the question being put thereon,

It passed in the affirmative;

A division being called for,

There were ayes 17, noes not counted.

So the title was agreed to.

On motion of Mr. Platt,

Ordered, that the undermentioned memorials be taken up for consideration, to wit:

No. 4, (H.) "Address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States, concerning the mineral lands in said territory;"

No. 5, (H.) "Address of the legislature to the secretary of the treasury of the United States, in relation to the marshals of the territory."

Pending the question on ordering memorial No. 4 to be engrossed for the third reading,

Mr. Ellis moved to amend the same by striking out all after the word "case," in the third paragraph, and all of the fourth paragraph, on the second page of the printed memorial;

And the question being put thereon,

It passed in the negative.

Mr. Ellis moved further to amend said memorial, by striking out the two paragraphs immediately preceding the last;

And the question being put thereon,

It passed in the negative.

Memorials Nos. 4 and 5 were then severally ordered to be engrossed for a third reading.

On motion of Mr. Hicks,

The house resumed the consideration of the following memorial, to wit:

No. 6, (H.) "Petition to the congress of the United States, praying for the passage of a law to enable the inhabitants of the territory of Wisconsin to form a constitution and state government."

Mr. Ellis moved that the said memorial be indefinitely postponed;

And the question being put,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Hicks;

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Ellis, Grant, Long, Manahan, Masters, Meeker, Palmer, Parsons, Price and Walker, (speaker)—14.

Those who voted in the negative were,

Messrs. Crossman, Darling, Hicks, Hopkins, Hunkins, Messersmith, Olin, Platt, Thompson, Tripp and Trowbridge—11.

On motion of Mr. Trowbridge,

The house adjourned until half past 2 o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker laid before the house the message of the governor, received this morning, notifying the house that he had on this day approved and deposited in the office of the secretary of the territory the following, to wit:

"An act to set off several towns therein named," and

"An act to lay out the several territorial roads therein named."

The nudermentioned bills were severally referred to the committee of the whole house, to wit:

On motion of Mr. Manahan,

No. 41, (H.) "A bill to amend an act entitled an act establishing courts of probate, defining their duties," &c.

On motion of Mr. Platt,

No. 51, (C.) "A bill to revive and amend an act entitled an act to incorporate the town of Plattville, approved February 19, 1841."

On motion of Mr. Crossman,

No. 44, (C.) "A bill to submit to the people of Wisconsin the question of the expediency of forming a state government."

Thereupon, the house resolved itself into the committee of the whole house, for the consideration of said bills;

Mr. Ellis in the chair.

And after some time spent therein, the committee rose, and by their chairman reported bill No. 41 with, and No. 51 without amendments, and that they had made progress in bill No. 44, and desired leave to sit again for the consideration thereof.

The amendments to bill No. 41, were concurred in, and the said bill ordered to be engrossed for a third reading.

Bill No. 51 was then ordered to the third reading;

And leave granted to the committee to sit again for the consideration of bill No. 44.

On motion of Mr. Platt,

Ordered, that all rules of the house, prohibiting the third reading and passage of bill No. 51 now, be suspended in reference to said bill;

Which was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. Manahan,

Ordered, that all rules of the house prohibiting the third reading and passage of bill No. 41 now, be suspended in reference to said bill;

Which was then read the third time, passed, and the title thereof agreed to.

Mr. Trowbridge moved that the undermentioned memorial be taken up and considered in committee of the whole house, to wit:

No. 8, (C.) "Address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States, relative to the infringement of the boundaries of Wisconsin."

On motion of Mr. Birchard,

A call of the house was made.

And Mr. Palmer was reported to be absent, when

On motion of Mr. Thompson,

Further proceedings in the call of the house were dispensed with.

The question was then put on agreeing to take up and consider memorial No. 8 in the committee of the whole;

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Elmore, Grant, Long, Manahan, Masters, Messersmith, Meeker, Parsons, Price, Trowbridge and Walker (speaker)—14.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Ellis, Hicks, Hopkins, Hunkins, Olin, Palmer, Platt, Thompson and Tripp—12.

On motion of Mr. Crossman,

Ordered, that the undermentioned bills be referred to the committee of the whole house, to wit:

No. 22, (C.) "A bill to amend an act entitled an act concerning notaries public."

No. 25, (C.) "A bill to incorporate the Madison Academy."

Thereupon, the house resolved itself into the committee of the whole house on said bills and memorial No. 8;

Mr. Price in the chair.

And after some time spent therein, the committee rose and reported said bills and memorial to the house, with amendments to each.

The amendments made to said bills, were severally concurred in by the house.

And bill No. 25, ordered to the third reading; and

On motion of Mr. Hunkins,

Bill No. 22, was ordered to lie on the table.

The question was then put on concurring in the amendments made to memorial No. 8;

And it passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Ellis, Hunkins, Olin, Palmer, Platt, Thompson and Tripp—10.

Those who voted in the negative, were

Messrs. Birchard, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Long, Manahan, Masters, Messersmith, Meeker, Parsons, Price, Trowbridge and Walker (speaker)—16.

A message from the council by their secretary:

"Mr. Speaker: The council have passed the following, in which I am directed to ask the concurrence of this house:

No. 63, (C.) 'A bill to authorize the president and trustees of the town of Milwaukee, to borrow money.'

And have postponed the consideration of

No. 5, (H.) 'Resolution relative to an allowance to Daniel Baxter,' until the first Monday of January, 1845."

Mr. Ellis moved to amend said memorial by adding the following words, to wit:

"Twin river and Kee-wau-nee" after the word "Manitouwoc" in the 5th line of the 3d page.

On motion of Mr. Trowbridge,

A call of the house was made, and Mr. Grant reported to be absent.

The sergeant-at-arms was sent to notify Mr. Grant that his attendance was desired in the house, when

Mr. Price moved that further proceedings in the call of the house be dispensed with.

And the question being put,

It passed in the negative.

A division having been called for by Mr. Elmore,

There were ayes 9, noes 10.

Mr. Grant having appeared in his seat;

Ordered, that further proceedings in the call of the house be dispensed with.

The question was then put on agreeing to the amendment proposed by Mr. Ellis, and

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Ellis, Hopkins, Hunkins, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, and Tripp—15.

Those who voted in the negative were,

Messrs. Birchard, Elmore, Grant, Hicks, Long, Manahan, Masters, Meeker, Price, and Trowbridge—11.

Mr. Ellis moved further to amend the memorial by adding the following:

"And your memorialists further pray and represent, that until the question of the boundaries of Wisconsin shall be settled and determined by your honorable body, this territory will take no steps towards forming a constitution and state government."

Mr. Parsons moved to amend the amendment by adding to it the following words:

"Further than to get an expression of the people of the territon the subject."

Mr. Ellis accepted the amendment.

Mr. Elmore called for a division of the question on the amendment;

And the question was put on agreeing to the amendment offered by Mr. Parsons,

And passed in the negative.

And the ayes and noes having been called for by Mr. Parsons,

Those who voted in the affirmative were,

Messrs. Agry, Darling, Ellis, Hunkins, Manahan, Parsons, Tripp, and Walker, (speaker)—8.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Elmore, Grant, Hicks, Hopkins, Long, Masters, Messersmith, Meeker, Olin, Palmer, Platt, Price, Thompson, and Trowbridge—18.

The question then recurred on the amendment offered by Mr. Ellis; and being put,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Elmore, Hunkins, Palmer, Parsons, Platt, Thompson, and Tripp—9.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hicks, Hopkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Price, Trowbridge, and Walker (speaker)—17.

Mr. Hunkins moved further to amend the memorial by adding to it the following, viz:

"Your memorialists further claim that the territory of Wisconsin has an absolute indefeasible right to that part of the state of Michigan, formerly detached from this territory and annexed to that state, and hereby proclaim to the Union that they will never abandon that claim, but will maintain it to the death."

And the question being put on adopting said amendment,

It passed in the negative.

The question then recurred on ordering said memorial to a third reading; and being put,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Trowbridge,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Long, Manahan, Masters, Messersmith, Meeker, Parsons, Price, Tripp, Trowbridge, and Walker (speaker)—17.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Ellis, Hunkins, Olin, Palmer, Platt, and Thompson—9.

On motion of Mr. Hunkins,

The house resolved itself into the committee of the whole house, Mr. Grant in the chair, for the consideration of the following bills, to wit:

No. 44, (C.) "A bill to submit to the people of Wisconsin the question of the expediency of forming a state government."

No. 42, (H.) "A bill to change the name of the town of Nemahbin, in the county of Milwaukee;"

No. 32, (H.) "A bill respecting religious societies;"

After some time spent therein, the committee rose and reported bill No. 42 without amendment; and that they had made some progress in bills 32 and 44, and desired leave to sit again for their further consideration.

Leave was then granted to sit again for the consideration of said bills 32 and 44; and No. 42 was ordered to be engrossed for a third reading.

On motion of Mr. Hunkins,

So much of the sixteenth rule as prohibits bills from being read the second and third time on the same day, was suspended in reference to the last named bill.

The said bill was then read the third time, passed, and the title thereof agreed to, by special order of the house.

On motion of Mr. Capron,

The house adjourned.

WEDNESDAY, January 24, 1844.

The speaker announced the appointment of Messrs. Ellis, Parsons, and Hopkins, as the select committee to which was referred the auditor's report, received on yesterday.

On motion of Mr. Hicks,

Ordered, that the reading of the journal be dispensed with.

A message from the council by their secretary:

"Mr. Speaker: The governor has notified the council that he

did, on the 23d inst., approve and deposite in the office of the secretary of the territory:

'An act to amend an act entitled an act to repeal an act entitled an act to incorporate the stockholders of the Bank of Mineral Point, approved February 18th, 1842.'

The council have passed

No. 37, (C.) 'A bill to amend the act concerning proceedings in courts of record, and for other purposes;'

In which I am directed to ask the concurrence of this house; and have passed

No. 25, (H.) 'Resolution relative to the improvement of the Muquonego road,'

And have refused to concur in the amendments of this house to

No. 7, (C.) 'A bill to provide for the election of clerks of the boards of supervisors, and for other purposes.' "

Mr. Elmore presented the remonstrance of citizens of Walker's Point, against being included in the city of Milwaukee;

Which was laid on the table.

Mr. Platt presented the remonstrance of William St. John and others, citizens of Grant county, against the passage of any law authorizing foreigners to vote on the question of electing delegates to form a constitution and state government;

Which was laid on the table.

Mr. Trowbridge presented the petition of Joseph V. Quarles and 250 others, citizens of the county of Racine, praying for the passage of a law to submit to the people of this territory the question of a state government;

Which was read and laid on the table.

Mr. Darling presented the petition of H. A. Gallup and others, citizens of the county of Winnebago, praying for the passage of a law attaching said county to Fond du Lac for judicial purposes;

Which was laid on the table.

Mr. Darling also presented the petition of Clark Dickinson and other citizens of Winnebago county, praying for the passage of an act enabling said county to obtain certain records from Brown and Fond du Lac counties;

Which was referred to a select committee, composed of Messrs. Darling, Ellis, and Agry.

Mr. Agry from the committee on the judiciary, to which was referred the petition of Amos Hill and others, praying that said

Hill may be divorced from his wife Elizabeth L. Hill, reported that in their opinion the prayer of the petitioner ought not to be granted;

And moved that the report be accepted and the committee discharged from the further considaration of the subject;

Which was agreed to.

Mr. Agry, also, from the same committee, to which was referred the petition of inhabitants of the town of Burlington, praying for the passage of a law authorizing the said inhabitants to record all deeds and other writings relating to real estate, to be recorded in said town, reported adversely to the prayer of said petitioners,

And moved that the report be accepted and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled the undermentioned bills,

Which were signed by the speaker, to wit:

No. 27, (C.) "A bill prescribing the time of holding the annual session of the legislative assembly," and

No. 51, (C.) "A bill to revive and amend an act entitled 'an act to incorporate the village of Platteville,' approved February 19th, 1841."

The message from the council was taken up;

When the undermentioned were severally read the first and second time, to wit:

No. 37, (C.) "A bill to amend an act concerning proceedings in courts of record, and for other purposes;"

No. 63, (C.) "A bill to authorize the president and trustees of the town of Milwaukee to borrow money."

Mr. Ellis moved that said bill No. 37, be referred to the committee on the judiciary,

Which was disagreed to;

And a division being called,

There were ayes 4, noes 10.

The house insisted on all their amendments to bill

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes,"

In which the council non-concurred, and concurred in the amendment to the sixth amendment of this house to said bill.

Bills on their third reading being announced by the speaker,

The undermentioned were severally read the third time, passed, and the titles thereof agreed to, to wit:

No. 25, (C.) "A bill to incorporate the Madison Academy;"

No. 8, (C.) "Address of the council and house of representatives of the territory of Wisconsin to the senate and house of representatives of the United States, relative to the infringement of the boundaries of Wisconsin."

Pending the reading of said last named memorial the third time,

Mr. Crossman moved to reconsider the vote by which the house on yesterday ordered said memorial to the third reading, when

Mr. Hopkins moved that the said memorial and motion of Mr. Crossman do lie on the table;

And the question being put,

It passed in the negative; and

A division being called,

There were ayes 11, noes 11.

Mr. Hopkins then moved, that the motion of Mr. Crossman do lie on the table;

And the question being put thereon,

It passed in the affirmative; and

A division being called,

There were ayes 12, noes 11.

Mr. Platt then moved that said memorial do lie on the table.

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Trowbridge,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Darling, Ellis, Hopkins, Hunkins, Manahan, Olin, Palmer, Thompson, and Tripp—11.

Those who voted in the negative, were

Messrs. Birchard, Capron, Crossman, Elmore, Grant, Hicks, Long, Masters, Messersmith, Meeker, Parsons, Platt, Price, Trowbridge, and Walker (spk'r.)—15.

Mr. Hicks then moved, that the motion of Mr. Crossman be taken up,

Which was agreed to.

A division being called,

There were ayes 14, noes not counted.

The question was then put on reconsidering the vote by which

the house on yesterday ordered said memorial No. 8 to the third reading.

And it passed in the negative.

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative, were

Messrs. Birchard, Crossman, Elmore, Hicks, Long, Masters, Messersmith, Meeker, Parsons, Price, Trowbridge, and Walker (speaker)—12.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Darling, Ellis, Grant, Hopkins, Hunkins, Manahan, Olin, Palmer, Platt, Thompson, and Tripp—14.

Upon the passage of said memorial, the ayes and noes were called for by Mr. Price,

And those who voted in the affirmative, were

Messrs. Birchard, Crossman, Elmore, Grant, Hicks, Hopkins, Long, Masters, Messersmith, Meeker, Parsons, Price, Trowbridge and Walker (spk'r.)—14.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Darling, Ellis, Hunkins, Manahan, Olin, Palmer, Platt, Thompson, and Tripp—12.

Pending the question on agreeing to the title to said memorial,

Mr. Hunkins moved to amend the same so as to read, "A declaration of war against Great Britain, Illinois, Michigan, and the United States."

And the question being put on agreeing to said amendment,

It passed in the negative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative, were

Messrs. Ellis, Hunkins, Olin, and Thompson—4.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Long, Manahan, Masters, Messersmith, Meeker, Palmer, Parsons, Platt, Price, Tripp, Trowbridge, and Walker (spk'r.)—22.

Mr. Ellis, from the select committee to which was referred the report of the auditor and treasurer, made a report. [See Appendix.]

On motion of Mr. Hunkins,

Ordered, that the report be accepted, and the committee discharged from the further consideration of the subject.

Mr. Elmore moved the following resolution:

"*Resolved*, That the report of the select committee on the report of the auditor and treasurer, do lie on the table, and that seven hundred copies of the report be printed for the use of the legislature, by W. W. Wyman."

Mr. Ellis moved the following amendment:

"Strike out all after the word 'resolved,' in said resolution, and insert the following words: 'That the report of the select committee on the report of the auditor and treasurer be laid on the table, and seven hundred copies of the report of the committee, including the report of the auditor and treasurer, be printed.'"

Mr. Hopkins moved to amend the amendment, by adding to it the words, "by W. W. Wyman."

And the question being put on the amendment to the amendment,

It passed in the negative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Elmore, Hopkins, Messersmith, Olin, Palmer, Platt, Price, Thompson, Tripp, and Trowbridge—12.

Those who voted in the negative, were

Messrs. Agry, Bichard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Meeker, Parsons, and Walker (speaker)—14.

The question was then put on agreeing to the amendment offered by Mr. Ellis;

And it passed in the affirmative.

And a division being called,

There were ayes 15, noes not counted.

The question then recurred on the motion, as amended;

And it passed in the affirmative.

Mr. Darling, from the select committee to which a petition was referred, by leave, reported bill

No. 48, "A bill to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac,"

Which was read the first and second time, and the rules requiring bills to be printed on their second reading, suspended in reference to said bill.

Mr. Hopkins, by leave, offered the following preamble and resolution, to wit:

"*Resolved*, the council concurring, that while this house approve of the views expressed in address No. 8, (passed by the council and sent to this house for concurrence) relative to our claims to the several portions of territory which have been taken from us and given to Illinois and Michigan, and ceded to Great Britain; yet, as said address proposes to take, as an equivalent for said strip of territory, the construction of various harbors and other improvements, nearly all of which improvements the national government is bound by right, policy, and invariable usage, to execute; and as the said address, although modified from the original copy, yet embodies certain expressions in indication of our ultimate purpose of appealing to our "own right arm," with a great sword in it, for the adjustment of our claims, which said expressions, while they will create no other expression in congress than a smile, yet their effect upon a people who feel themselves injured, may, (emanating as they do from their representatives,) excite the latent passion for war, therefore,

"*Resolved*, That it is deemed expedient to postpone any further action upon the subject embraced in said address until our claims can be more effectually presented and maintained in the national legislation by our senators and representatives in said bodies; believing that if it shall be found expedient to accept an equivalent for those claims, it should be in lands or money for the support of common schools, that right arm of our national defence."

Mr. Elmore moved that the said preamble and resolution be indefinitely postponed.

And the question being put,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Crossman, Darling, Elmore, Grant, Manahan, Masters, Messersmith, Meeker, Parsons, Price, Trowbridge and Walker, (speaker)—12.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Ellis, Hicks, Hopkins, Hunkins, Olin, Palmer, Platt, Thompson and Tripp—11.

Mr. Hopkins gave notice of his intention to move a reconsideration of the vote by which memorial No. 8, (C.) was passed.

Mr. Palmer, by leave, introduced a petition of inhabitants of the

town of Madison, praying that a law be passed to enable school district No. 1, in said town, to raise a tax to build a school house;

Which was referred to the following select committee, to wit: Messrs. Palmer, Masters and Crossman.

On motion of Mr. Hunkins,

The house resolved itself into the committee of the whole house, for the consideration of the following bills, to wit:

No. 45, (H.) 'A bill to erect the towns of Jackson and Palmyra;'

No. 43, (C.) "A bill to postpone the payment of principal and interest moneys due from the purchasers of the canal lands, and for other purposes;"

No. 44, (C.) " A bill to submit to the people of Wisconsin the question of state government;"

No. 63, (C.) " A bill to authorize the president and trustees of the town of Milwaukee to borrow money."

After some time spent therein, the committee rose and reported the said bills without amendment.

On motion of Mr. Masters,

Ordered, that bill No. 45 do lie on the table.

A message from the council, by their secretary:

" Mr. Speaker: The council have passed the following:

No. 61, (C.) 'A bill to annex certain lands to the town of Geneva;'

No. 7, (C.) 'Memorial to congress relative to the Wisconsin Marine and Fire Insurance Company;'

No. 60, (C.) 'A bill to amend an act to incorporate the village of Southport;'

No. 46, (C.) 'A bill making appropriations out of the territorial treasury for the payment of certain debts therein named;'

In which I am directed to ask the concurrence of this house; and have passed the following bills of this house, to wit:

No. 26, 'A bill to authorize the trustees of school district number one, in the town of Rochester, to collect certain moneys and and pay over to district number eight;'

No. 35, 'A bill to prevent disturbance and interruption at camp meetings;'

No. 39, 'A bill to incorporate the Burlington Academy, in the town of Burlington;'

No. 37, 'A bill to authorize Jared Lake and his associates to build and maintain a wharf;'

The latter with amendments, in which I am directed to ask the concurrence of this house. I am directed to inform this house that there have been no remonstrances presented in the council against the passage of a law to authorize the register of deeds of Brown county to keep his office at Green Bay."

Bill No. 43, (C.) was ordered to a third reading;

And by special order of the house was read the third time, passed, and the title thereof agreed to, the rule prohibiting it from being read the second and third time on the same day having been suspended on motion of Mr. Elmore.

Mr. Thompson moved to amend bill No. 63, (C) in the first section, eighth line, by striking out all after the word "river," in said section.

And the question being put,

It passed in the negative;

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative, were

Messrs. Hicks, Hopkins, Meeker, and Thompson—4.

Those who voted in the negative were,

Messrs. Bartlett, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Platt, Price, Tripp, Trowbridge, and Walker (speaker)—18.

The said bill was then ordered to a third reading, and by special order of the house was read the third time, passed, and the title thereof agreed to; the rule preventing it from being so read having been suspended on motion of Mr. Hunkins.

On the question of suspending the rule, the ayes and noes were called for by Mr. Thompson; and

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Hicks, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Price, Tripp, Trowbridge, and Walker (speaker)—18.

Those who voted in the negative were,

Messrs. Grant, Hopkins, Meeker, Platt and Thompson—5.

Pending the question on bill No. 44, (C.) and

On motion of Mr. Elmore,

The house adjourned until half past two o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

Mr. Meeker moved that bill No. 44, (C.) be laid on the table, and be made the special order of to-morrow;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Crossman,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Elmore, Hicks, Hunkins, Meeker, Parsons, Price, and Walker (speaker)—9.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Long, Masters, Messersmith, Olin, Palmer, Platt, Thompson, Tripp and Trowbridge—16.

Mr. Hunkins offered the following amendment to said bill, to wit:

Sec. If upon the return of the votes, as herein before mentioned, it shall appear that a majority of the votes are against the formation of a state government, then the same question shall be annually submitted to the people, at the general election, in the manner provided by this act, until the ultimate decision of the people in favor of that measure."

Mr. Grant moved a call of the house; when

Messrs. Elmore and Manahan were reported to be absent.

On motion of Mr. Thompson,

Ordered, that the absentees be excused from attendance in the house.

The question was then put on agreeing to the amendment proposed by Mr. Hunkins;

And it passed in the negative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Darling, Hunkins, Meeker, Price, Thompson, and Walker (speaker)—6.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Ellis,

Grant, Hicks, Hopkins, Long, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Tripp and Trowbridge—18.

Mr. Darling moved to amend said bill by striking out the word "enacted," in the enacting clause, and inserting in lieu thereof the word "resolved," also, by striking out all after the word "congress," in the last line but two, and inserting in lieu thereof the following, to wit:

"Be it further resolved, that if it shall appear that a majority of the whole number of votes, thus returned, shall be in favor of state government, it shall then be the duty of the secretary to certify and return an abstract of the same, together with a copy of these resolutions, under his hand and the seal of the territory, to the delegate of this territory, and to the presiding officers of both houses of Congress, on or before the first Monday of December next—and upon the reception of such returns,

Resolved further, that congress be respectfully requested to pass a law to enable the free inabitants of this territory to form a permanent constitution and state governe nt; and that such law may also authorize and make provision for taking a census or enumeration of the said free inhabitants, or for any other measures, necessary to carry out the provisions of these resolutions."

And the question being put on adopting said amendment,

It passed in the negative.

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative were

Messrs. Darling, Ellis, Hunkins, Meeker, Price, Thompson, and Walker (speaker)—7.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hicks, Hopkins, Long, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Tripp, and Trowbridge—17.

Mr. Ellis then moved that said bill be postponed until the 4th of July next;

On which question Mr. Hunkins moved the previous question;

Which was put in these words: "shall the main question be now put?"

And it passed in the affirmative.

The question was then put on postponing said bill until the 4th day of July next; and

It passed in the negative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Hicks, Hunkins, Meeker and Price—6.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Long, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, Tripp, Trowbridge, and Walker (speaker)—18.

The question was then put on ordering said bill to a third reading; and

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Long, Masters, Messersmith, Olin, Parsons, Platt, Thompson, Tripp, Trowbridge, and Walker (speaker)—17.

Those who voted in the negative were,

Messrs. Darling, Ellis, Hicks, Hunkins, Meeker, and Price—6.

Mr. Trowbridge then moved that so much of the 16th rule of the house prohibiting bills from receiving their second and third reading on the same day, be suspended in reference to said bill.

And the question being put thereon,

It passed in the negative;

(Two thirds of the members not having voted in the affirmative.)

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Tripp, Trowbridge, and Walker (speaker)—15.

Those who voted in the negative were,

Messrs. Agry, Darling, Ellis, Hicks, Hunkins, Meeker, Price, and Thompson—8.

Mr. Long, from the committee on enrollment, reported the undermentioned, as correctly enrolled, to wit:

No. 35, (H.) "A bill to prevent disturbance and interruption at camp meetings;"

No. 43, (C.) "A bill to postpone the payment of principal and interest moneys due from the purchasers of canal lands, and for other purposes;"

Which were signed by the speaker.

The message from the council was taken up, when

The undermentioned were severally read the first and second time:

No. 7, (C.) "Memorial to congress relative to the Wisconsin Marine and Fire Insurance Company;"

No. 46, (C.) "A bill making appropriations out of the territorial treasury for the payment of certain debts therein named;"

No. 60, (C.) "A bill to amend the act to incorporate the village of Southport;"

No. 61, (C.) "A bill to annex certain lands to the town of Geneva."

The amendments to bill No. 37, "A bill to authorize Jared Lake and his associates to build and maintain a wharf," made by the council, were read and concurred in.

Mr. Crossman, from the committee on engrossment, reported the undermentioned as correctly engrossed, to wit:

No. 4, (H.) "Address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States."

No. 5, (H.) "Address of the legislature of the territory of Wisconsin to the secretary of the treasury of the United States."

On motion of Mr. Darling,

The house resolved itself into the committee of the whole house, having under consideration the undermentioned bills,

Mr. Meeker in the chair, to wit:

No. 48, (H.) "A bill to enable the county of Winnebago to procure certain records from the counties of Brown and Fond du Lac;"

No. 33, (H.) "A bill for the relief of the county of Calumet;"

No. 43, (H.) "A bill to provide for the leasing of school sections."

And after some time spent therein, the committee rose and by their chairman, reported said bills with amendments to each.

The amendments to bills 33 and 43, were concurred in, and No. 33 was ordered to be engrossed for the third reading.

On motion of Mr. Platt,

Bill No. 43, (H.) was ordered to lie on the table; and

On motion of Mr. Ellis,

Bill No. 48, (H.) was ordered to lie on the table.

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, which were signed by the speaker, to wit:

"An act to incorporate the Burlington academy, in the village of Burlington;" and

"An act to authorize the trustees of school district No. 1, in the town of Rochester, to collect certain moneys and pay over to district No. 8."

Mr. Long, from the same committee, reported that the said committee did on this day present to the governor for his approval bills of the following titles, to wit:

"An act to postpone the payment of principal and interest moneys due from purchasers of canal lands, and for other purposes;"

"An act to prevent disturbance and interruption at camp meetings;"

"An act to revive and amend an act entitled an act to incorporate the town of Platteville, approved February 19, 1841;" and

"An act prescribing the time of holding the annual sessions of the legislative assembly."

Mr. Palmer, from a select committee to which a petition was referred, by leave reported a bill,

Which was read the first and second times, and the rule requiring bills on a second reading to be printed, suspended with reference to said bill, to wit:

No. 49, (H.) "A bill to authorize school district No. 1, in Dane county, to levy an additional tax for building a school house."

Mr. Ellis moved that the 18th rule of the house be suspended with reference to memorial

No. 7, (C.) "Memorial to congress relative to the Wisconsin Marine and Fire Insurance Company."

And the question being put,

It passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Ellis and Hicks—2.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Grant,

Hopkins, Hunkins, Messersmith, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp and Walker, (speaker)—17.

Mr. Hunkins, by leave, and agreeably to notice previously given, introduced a bill which was read the first and second times, to wit:

No. 50, (H) "A bill relating to commissioners of highways."

On motion of Mr. Crossman,

The house adjourned.

THURSDAY, January 25, 1844.

On motion of Mr. Palmer,

Ordered, that the reading of the journal be dispensed with.

Mr. Masters presented the petition of George Payne and others, citizens of the town of Lake Mills, in the county of Jefferson, praying that said town may be changed to that of "Boston."

Mr. Masters also presented two remonstrances from citizens of the same town against said petition,

Which were referred to the committee on corporations.

Mr. Agry, from the committee on the judiciary, to which was referred the petition of citizens of Winnebago county, praying that the term of office of justices of the peace be extended,

Reported that it is not necessary to take any action thereon, inasmuch as there is now pending in the legislative assembly, a bill containing the provision prayed for by the said petitioners, and moved that the report be accepted and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed, the undermentioned bill, to wit:

No. 33, (H.) "A bill for the relief of the county of Calumet."

Mr. Elmore, by leave, presented the account of John Y. Smith;

Which was referred to the committee on legislative expenditures.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have appointed Messrs. Martin and Crocker a committee of conference on the disagreeing vote of the two houses on

No. 7, (C.) 'A bill to provide for the election of clerks of the board of supervisors and for other purposes;'

And desire that this house may appoint a similar committee, to which it is proposed to refer the subject.

And have concurred in the amendment of this house to

No. 8, (C.) 'Address of the council and house of representatives of the territory of Wisconsin to the senate and house of representatives of the United States, relative to the infringement of the boundaries of Wisconsin;'

And also in the amendment of this house to

No. 25, (C.) 'A bill to incorporate the Madison academy;'

And have passed

No. 42, (H.) 'A bill to change the name of Nemahbin in the county of Milwaukee;'

And have passed bills of the following titles, in which I am directed to ask the concurrence of this house:

No. 64, (C.) 'A bill in relation to certain county officers in St. Croix county;' and

No. 62, (C.) 'A bill to incorporate the village of Geneva.'

The governor has notified the council that he did on the 24th inst. approve and deposite in the office of the secretary of the territory,

'An act prescribing the time of holding the annual session of the legislative assembly;' and

'An act to revise and amend an act entitled an act to incorporate the town of Platteville, approved Feb. 19, 1841;'

And have rejected

No. 9, of this house, 'A bill for an act respecting the office of register of deeds of Brown county.'"

The message from the council was taken up,

When the undermentioned bills were severally read the first and second times, to wit:

No. 62, (C.) "A bill to incorporate the village of Geneva."

No. 64, (C.) "A bill in relation to certain county officers in St. Croix county."

And so much of the message as requested the appointment of

a committee on the part of the house to act with a similar committee appointed by the council to confer on the disagreement of the two houses relative to bill No. 7, (C.) entitled "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes," being read, when

Messrs. Hunkins and Elmore were appointed the committee of conference on the part of the house.

Bills on their third reading were announced by the speaker; when

The undermentioned were severally read the third time, passed, and the titles thereof agreed to, to wit:

No. 4, (H.) "Address of the council and house of representatives of the territory of Wisconsin to the senate and house of representatives of the United States;"

No. 5, (H.) "Address of the legislature to the secretary of the treasury of the United States in relation to the marshal of this territory;"

No. 33, (H.) "A bill for the relief of the county of Calumet;"

No. 44, (C.) "A bill to submit to the people of Wisconsin the question of the expediency of forming a state government."

On the passage of the last named bill, a call of the house was made, on motion of Mr. Ellis, when

Messrs. Birchard and Manahan were reported to be absent.

On motion of Mr. Masters,

Ordered, that Mr. Manahan be excused from attendance in the house.

The sergeant-at-arms was then sent to notify Mr. Birchard that his attendance was desired in the house.

When the absentee having made his appearance in his seat,

Ordered, that further proceedings in the call of the house be dispensed with;

When the question was taken on the passage of said bill;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Long, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, Tripp, Trowbridge, and Walker (speaker) 18.

Those who voted in the negative were,

Messrs. Darling, Ellis, Elmore, Hicks, Hunkins, Meeker, and Price—7.

Pending the question on agreeing to the title of said bill,

Mr. Meeker moved to amend the same to read, "A bill to force the people to vote for or against a state government, against their will."

And the question being put on the adoption of said amendment,

It passed in the negative.

And the ayes and noes having been called for by Mr. Meeker,

Those who voted in the affimative were,

Messrs. Darling, Ellis, Elmore, Hunkins, Meeker, and Price—6.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hicks, Hopkins, Long, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, Tripp, Trowbridge, and Walker (speaker)—19.

And the title to the said bill was agreed to.

A message from the governor, by his private secretary, Mr. Charles Doty:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

Which message, with the accompanying petition from the inhabitants of Milwaukee county, relative to the indebtedness of the territory, the speaker laid before the house; [See Appendix.]

Which were read.

Mr. Platt moved that the said message and accompanying petition be referred to a select committee of three, with instructions to report on the same, on to-morrow, at two o'clock, P. M.

And the question being put on the adoption thereof,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affimative were,

Messrs. Elmore, Grant, Hicks, Hopkins, Palmer, Platt, and Thompson—7.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Parsons, Price, Tripp, Trowbridge, and Walker (speaker)—18.

Mr. Meeker then moved that said message be referred to the committee on territorial expenditures.

Mr. Darling moved to amend the motion by striking out "territorial," and inserting, in lieu thereof, "legislative;"

Which motion was accepted by Mr. Meeker as a modification of his motion.

Which was then agreed to, and the reference made accordingly.

Mr. Hicks, by leave, introduced the undermentioned resolution, and moved the previous question, to wit:

"*Resolved*, by the house of representatives, (the council concurring,) that the present session shall extend to the fifteenth day of February next: *Provided*, however, that if the expense shall exceed the amount appropriated by congress to defray the expenses of the present session, it shall not be a debt against the territory, and that no evidence of debt of any kind shall be issued against the territory for any expense so made."

The question was then put in these words: "shall the main question be now put?"

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Long, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Price, Tripp, and Trowbridge—19.

Those who voted in the negative were,

Messrs. Hunkins, Platt, Thompson, and Walker (speaker)—4.

The question was then put on the adoption of said resolution.

And it passed in the negative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Ellis, Hicks, and Palmer—3.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, Tripp, Trowbridge, and Walker (speaker)—21.

A message from the council by their secretary:

"Mr. Speaker: The council have passed

No. 19, (C.) 'Resolution relative to printing the laws and journals of the present session, and the reports of the decisions in the supreme court.'

In which the concurrence of this house is requested."

Mr. Elmore moved that the house do now resolve itself into the committee of the whole house, for the consideration of the following bills, to wit:

No. 44, (H.) "A bill to provide for the payment of the expenses of the legislative assembly therein mentioned;"

No. 47, (H.) "A bill to provide for the payment of the expenses of the legislative assembly, and for other purposes."

Mr. Ellis moved that the following memorial be considered in the same committee, to wit:

No. 7, (C.) "Memorial to congress relative to the Wisconsin Marine and Fire Insurance Company;"

And pending the question thereon,

A call of the house was made, and

Messrs. Birchard and Manahan reported to be absent.

And thereupon, Mr. Manahan was excused from attendance, on account of ill health.

Mr. Birchard having appeared in his seat,

On motion of Mr. Capron,

Further proceedings in the call of the house were dispensed with.

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, to wit:

No. 63, (C) "A bill to authorize the president and trustees of the town of Milwaukee to borrow money;"

No. 37, "A bill to authorize Jared Lake and his associates to build and maintain a wharf;"

When the speaker signed the said bills.

A division of the question being called for, on going into the committee of the whole,

The question was first put on the motion of Mr. Elmore,

And passed in the affirmative.

The question was then put on adopting the motion of Mr. Ellis, and

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Masters, Meeker, Palmer, Thompson, and Trowbridge—11.

Those who voted in the negative were,

Messrs. Agry, Capron, Elmore, Hicks, Hopkins, Hunkins, Long, Messersmith, Olin, Parsons, Platt, Price, Tripp, and Walker (speaker)—14.

A motion was then made by Mr. Ellis that the following resolution be referred to the same committee, to wit:

No. 23, (H.) "Resolution relative to the Wisconsin Marine and Fire Insurance company;"

And the question being put,

It passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Masters, Meeker, and Trowbridge—9.

Those who voted in the negative, were

Messrs. Agry, Capron, Elmore, Hicks, Hopkins, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, and Walker (spk'r.)—16.

On motion of Mr. Palmer,

Bill No. 49, (H.) "A bill to authorize school district number one, in Dane county, to levy an additional tax for building a school house," was taken up,

And the house resolved itself into the committee of the whole on said bill; Mr. Hicks in the chair.

Pending the report of the committee, the following messages were received, to wit:

From the governor, by his private secretary:

"Mr. Speaker: I am directed to deliver to the house of representatives a message from the governor in writing."

From the council, by their secretary:

"Mr. Speaker: The council have passed

No. 31, (H.) 'A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes,'

With amendments, in which I am directed to ask the concurrence of this house.

The council have also passed the following resolutions, in which I am directed to ask the concurrence of the house, viz:

No. 20, 'Resolutions relative to accounts presented to the legislature;'

No. 21, 'Resolution relative to designating what reports shall be printed in journals.'

The council have postponed until the first Monday in January, 1845, bill

No. 38, (H.) 'A bill to authorize Clovis A. La Grave to keep a ferry;'

And have passed bills with the following titles, in which I am directed to ask the concurrence of the house, to wit:

No. 17, (C.) 'A bill relating to the district courts in the second and third judicial districts, and for other purposes.'"

After some time spent therein, the committee rose and reported bill No. 49 without amendment, and that they had made progress in 40 and 47, and desired leave to sit again.

Leave was granted to the committee to sit again for the consideration of said bills, and

Bill No. 40 was ordered to be engrossed and, by special order of the house, was read the third time, passed, and the title thereof agreed to; the rule prohibiting bills from being read the second and third times on the same day, having first been suspended.

On motion of Mr. Capron,

The house resolved itself into the committee of the whole house for the consideration of the following bills;

Mr. Platt in the chair:

No. 61, (C.) "A bill to annex certain lands to the town of Geneva;"

No. 62, (C.) "A bill to incorporate the village of Geneva."

After some time spent therein, the committee rose and reported said bills without amendment.

On motion of Mr. Ellis,

Bill No. 62, (C.) was ordered to lie on the table.

Bill No. 61, (C.) was ordered to a third reading, and by special order of the house was read the third time, passed, and the title thereof agreed to, the 16th rule of the house having been suspended on motion of Mr. Capron.

Mr. Long, from the committee on enrolled bills, reported that they did, on this day, present to the governor for his approval, bills of the following titles:

"An act to incorporate the Burlington Academy, in the village of Burlington;"

"An act to authorize the trustees of school district number one, in the town of Rochester, to collect certain moneys and pay over to district number eight;"

"An act to authorize Jared Lake to build and maintain a wharf on Lake Michigan, at the village of Southport;"

"An act to authorize the president and trustees of the town of Milwaukee to borrow money."

The following bills were referred to the committee of the whole house, to wit:

On motion of Mr. Ellis,

No. 46, (C.) "A bill making appropriations out of the territorial treasury, for the payment of certain debts therein named."

On motion of Mr. Trowbridge,

No. 69, (C.) "A bill to amend the act to incorporate the village of Southport."

On motion of Mr. Hicks,

No. 44, (H.) "A bill to provide for the settlement of the indebtedness of the territory."

The house then resolved itself into the committee of the whole house on the said bills;

Mr. Darling in the chair;

And after some time spent therein, rose and reported bill No 60, (C.) with an amendment, and Nos. 46, (C.) and 44, (H.) without amendment.

The amendment to bill No. 60 was agreed to, and the bill ordered to a third reading, and by special order of the house was read the third time, passed, and the title thereof agreed to, the 16th rule of the house having been suspended for that purpose.

Bills Nos. 44, (H.) and 46, (C.) were ordered to lie on the table.

Mr. Capron, from the committee on the militia, to which the message of the governor, the report of the adjutant general, and bill No. 8, (H.) 'A bill to provide for the enrolment of the militia of this territory,' were referred, by leave, reported that it was inexpedient to act upon the subject at the present session.

The report was accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Crossman,

The house adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The speaker laid before the house the message of the governor, received this day, notifying the house that he had on this day approved and deposited in the office of the secretary of the territory,

"An act to prevent disturbance and interruption at camp meetings."

Mr. Long, from the committee on enrollment, reported as correctly enrolled, the undermentioned bill,

Which was signed by the speaker, to wit:

No. 42, (H.) "A bill to change the name of the town of Nemahbin, in the county of Milwaukee."

Mr. Elmore presented the accounts of H. O. Sholes, C. L. Sholes, Marshall M. Strong and Thomas Eastman, for newspapers furnished the legislative assembly; and of Nelson Bigman for services in the capitol; which was referred to the committee on legislative expenditures.

Mr. Elmore, from the committee of conference on the disagreement of the two houses on

Bill No. 7, (C.) "A bill to provide for the election of clerks of boards of supervisors and for other purposes,"

Reported, that the committee recommend to the council to concur in the second and third amendments of the house, and that they recommend to the house the following in lieu of the fourth amendment of the house, to wit:

"Any lands or town lots and tenements which may hereafter be sold in any of the counties of the territory for the non-payment of taxes, may be redeemed by any person having the right of redemption, at any time within three years from the day of sale, and the interest in all such cases shall be at the rate of twenty-five per cent. per annum until redeemed, any law of this territory to the contrary notwithstanding: *Provided*, that when lands or town lots shall have been sold for taxes thereon, to any county, town, or village of this territory, the owner or claimants may redeem the same at any time before the recording of the tax deed executed upon such sale, at the same rate of interest allowed by law thereon. This proviso to take effect on and after the 1st day of April next."

The committee further recommend that the fifth amendment be concurred in, with the following amendment, to wit:

Strike out the words, "on sales made subsequent to the passage of this act;" and add thereto the following: "and so much of any law of the territory as conflicts with the provisions of this section is hereby repealed."

The committee further recommend to the house to recede from their seventh amendment.

On motion of Mr. Elmore,

The said report was adopted.

A message from the council by their secretary, to wit:

"Mr. Speaker: The governor has notified the council that he has on this day approved and deposited in the office of the secretary of the territory,

'An act to postpone the payment of principal and interest moneys due from purchasers of canal lands, and for other purposes.'

The council have rejected

No. 41, (C.) 'A bill to amend an act entitled an act establishing courts of probate, defining their duties, &c;'

And have passed,

No. 4, (H.) 'Resolution to appoint an agent to receive an appropriation to replenish the library;' and

No. 5, (H.) "Address of the legislature of the territory of Wisconsin, to the secretary of the treasury of the United States;'

With an amendment to each, in which I am directed to ask the concurrence of this house.

And have also passed,

No. 23, (C.) 'Resolution for a joint committee to select canal commissioners.'"

The message of the council was taken up, when

No. 17, (C.) "A bill relating to the district courts in the second and third judicial districts, and for other purposes;" and

No. 19, (C.) "Resolutions relative to printing the laws and journals of the present session, and the reports of the decisions in the supreme court;"

Were read the first and second times.

No. 20, (C.) "Resolution relative to accounts presented to the legislature," was read,

When Mr. Platt moved to strike out, "superintendent of territorial property," and insert in lieu thereof the word, "librarian."

Mr. Darling moved to amend the amendment by inserting "lieutenant governor," in place of "librarian;"

Which was agreed to.

The question was then put on agreeing to the amendment of Mr. Platt, as amended,

And it passed in the negative.

The resolution was then adopted.

No. 21, (C.) "Resolution designating what reports shall be printed in the journals," was read; and

On motion of Mr. Ellis,

Ordered, to lie on the table.

The amendments made by the council, to

No. 4, (H.) "Resolution to appoint an agent to receive an appropriation to replenish the library," were read, when

Mr. Darling moved to amend the bill as amended, by inserting after the word "object," the words, "excepting such part of the first appropriation as shall be otherwise appropriated;"

Which was agreed to.

Mr. Tripp moved to amend the amendment, by adding to it the following words: "and further provided that no charge shall be made on the territorial treasury, for any service contemplated by this resolution;"

Which was agreed to.

Mr. Capron moved further to amend the resolution by inserting after the word "books," the words, "in continuation of law reports and parliamentary history."

And the question being put,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Darling, Messersmith, Platt, Price, Thompson, Tripp and Trowbridge—10.

Those who voted in the negative, were

Messrs. Birchard, Crossman, Ellis, Elmore, Grant, Hicks, Hunkins, Long Masters, Meeker, Olin, Palmer, Parsons and Walker, (speaker)—14.

The question was then taken on concurring in the amendment of the council as amended,

And it passed in the affirmative.

A message from the governor by his private secretary.

"Mr. Speaker: I am directed to deliver to the house of representatives a message from the governor."

The amendments of the council to

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor and for other purposes," was read; and

The question being put on concurring in the said amendments,

It passed in the negative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative, were,

Messrs. Birchard, Crossman, Ellis, Elmore, Grant, Masters, Meeker, Platt, Trowbridge and Walker (speaker)—10.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Hicks, Hopkins, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Price and Tripp—13.

The amendments of the council to memorial

No. 5, (H.) "Address of the legislature to the secretary of the treasury of the United States, in relation to the marshal of this territory," were read, when

The question was put on concurring in the amendments, and

It passed in the negative.

And the ayes and noes having been called for by Mr. Elmore,

The house unanimously voted in the negative, to wit:

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Tripp, Trowbridge, and Walker (speaker)—24;

Messrs. Thompson and Manahan being absent from their seats.

No. 23, (C.) "Resolution for a joint committee to elect canal commissioners," was read;

And the question being put,

It passed in the negative.

And a division being called, there were ayes 7, noes 11.

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, to wit:

No. 25, (C.) "A bill to incorporate the Madison Academy;"

No. 61, (C.) "A bill to annex certain land to the town of Geneva;"

Which were signed by the speaker.

The speaker laid before the house the message of the governor notifying the house that he had on this day approved and deposited in the office of the secretary of the territory, the following, to wit:

"An act to authorize Jared Lake to build and maintain a wharf on Lake Michigan, at the village of Southport;"

"An act to authorize the trustees of school district No. 1, in the town of Rochester to collect certain monies, and pay over to district No. 8."

"An act to incorporate the Burlington Academy, in the village of Burlington."

On motion of Mr. Darling,

Ordered, that the undermentioned bill be taken up, and be engrossed for the third reading, to wit:

No. 48, (H.) "A bill to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac."

Mr. Hopkins moved that the undermentioned memorial be taken up for consideration, to wit:

No. 7, (C) "Memorial to congress relative to the Wisconsin Marine and Fire Insurance Company;"

On which motion, a call of the house was made by Mr. Olin; and,

Mr. Thompson was reported to be absent; when,

On motion of Mr. Hicks,

Ordered, that the absentee be excused from attendance in the house, and that further proceedings in the call of the house be dispensed with.

The question was then put on taking up said memorial, and

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hopkins, Masters, Mecker, and Trowbridge—12.

Those who voted in the negative were,

Messrs. Capron, Elmore, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, and Walker (speaker)—13.

Mr. Tripp moved that the undermentioned bill be taken up for consideration, to wit:

No. 45, (H.) "A bill to erect the towns of Jackson and Palmyra;"

Which was agreed to.

Mr. Palmer moved that said bill do lie on the table;

Which was disagreed to.

A division being called, there were ayes 3, noes 13.

The bill was then ordered to be engrossed for the third reading.

On motion of Mr. Darling,

Ordered, that the undermentioned bill be taken up and engrossed for the third reading, to wit:

No. 43, (H.) "A bill to provide for the leasing of school sections;" when

On motion of Mr. Platt,

Ordered, that so much of the 18th rule of the house prohibiting bills from receiving their second and third reading on the same day, be suspended in reference to said bill;

Which was then read the third time, passed, and the title thereof agreed to.

Mr. Platt moved to reconsider the vote by which the house on yesterday passed the undermentioned bill, to wit:

No. 63, (C.) "A bill to authorize the president and trustees of the town of Milwaukee to borrow money;" when

On motion of Mr. Elmore,

Ordered, that said motion do lie on the table.

Mr. Elmore, by leave, presented the account of W. W. Wyman for printing;

Which was referred to the committee on legislative expenditures.

On motion of Mr. Parsons,

Ordered, that the undermentioned resolution be taken up for consideration, to wit:

No. 24, (H.) "Preamble and resolution concerning state government;" when

Mr. Elmore moved that said preamble and resolution be indefinitely postponed,

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Parsons,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Elmore, Grant,

Hicks, Hopkins, Long, Masters, Messersmith, Olin, Platt, Thompson, Tripp, and Trowbridge—16.

Those who voted in the negative were,

Messrs. Darling, Ellis, Hunkins, Meeker, Parsons, Price, and Walker (speaker)—7.

Mr. Ellis, by leave, introduced the following resolution, to wit:

"*Resolved*, the hon. the council concurring, that resolution No. 15, (H.) by which the session is to determine on the 29th inst., be, and the same is hereby, rescinded."

Mr. Agry moved that said resolution do lie on the table.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Capron, Darling, Hopkins, Olin, Palmer, Parsons, Price, and Trowbridge—9.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Crossman, Ellis, Elmore, Grant, Hicks, Hunkins, Long, Messersmith, Meeker, Platt, Tripp, and Walker (speaker)—14.

Mr. Hicks moved to amend said resolution by adding thereto the following: "Provided, that no indebtedness against the territory shall be created in consequence of any expense of the legislature above the appropriation made by congress for that purpose;"

And the question being put on the adoption thereof,

It passed in the negative.

The question then recurred on the adoption of the resolution, and being put,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Ellis, Masters, Meeker, Palmer, and Walker (speaker)—7.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Messersmith, Olin, Parsons, Price, Thompson, Tripp, and Trowbridge—17.

Mr. Thompson, by leave, offered the following resolution, to wit:

"*Resolved*, by the council and house of representatives, that the chief clerk of this house be directed to request the governor to return to the house of representatives bill No. 63, (C.) "A bill to authorize the president and trustees of the town of Milwaukee to borrow money."

Mr. Ellis moved that the house do now adjourn;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Ellis, Grant, Long, Messersmith, Palmer, Price, and Tripp—11.

Those who voted in the negative were,

Messrs. Birchard, Darling, Elmore, Hicks, Hopkins, Hunkins, Masters, Meeker, Olin, Parsons, Platt, Thompson, Trowbridge, and Walker (speaker)—14.

Mr. Platt moved that the house adjourn till half-past 6 o'clock, P. M.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Darling, Elmore, Hicks, Hopkins, Hunkins, Meeker, Parsons, Platt, Thompson, Tripp, and Walker (speaker)—11.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Ellis, Grant, Long, Masters, Messersmith, Meeker, Olin, Palmer, Price, and Trowbridge—14.

Mr. Agry then moved that the house do now adjourn;

Which was disagreed to.

Mr. Hunkins then moved that the resolution offered by Mr. Thompson be indefinitely postponed.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Hunkins, Parsons, Platt, Price, and Walker (speaker)—5.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Hicks, Hopkins, Long, Masters, Messersmith, Meeker, Olin, Palmer, Thompson, Tripp, and Trowbridge—19.

The question then recurred on the adoption of said resolution, and being put,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Thompson,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Ellis, Hicks, Hopkins, Long, Masters, Messersmith, Meeker, Palmer, Thompson and Tripp—14.

Those who voted in the negative were;

Messrs. Darling, Hunkins, Olin, Parsons, Platt, Price, Trowbridge, and Walker (speaker)—8.

Mr. Meeker moved that the house adjourn to 7 o'clock, P. M.; when

Mr. Ellis moved that the house do now adjourn;

Which latter motion having precedence was first put,

And passed in the affirmative.

A division being called, there were ayes 17, noes nor counted.

So the house adjourned.

FRIDAY, January 26, 1844.

On motion of Mr. Platt,

Ordered that the reading of the journal be dispensed with.

The speaker laid before the house a communication of John Y. Smith, superintendent of territorial property, relative to the claim of John S. Littel for arrearages on the Law Library. [See Appendix.]

Which was read, and

On motion of Mr. Hopkins,

Ordered, **that the said communication be referred to committee on legislative expenditures.**

Mr. Ellis, by leave, introduced the undermentioned resolution, to wit:

"*Resolved*, That memorial No. 7, (C.) be made the special order for this day, at 12 o'clock, noon, at which time it shall have preference of all other business."

Mr. Hunkins moved that said resolution do lie on the table.

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Capron, Hunkins, Messersmith, Olin, Parsons, Platt, Price, Thompson, Tripp and Walker (speaker)—10.

Those who voted in the negative were,

Messrs. Bartlett, Crossman, Darling, Ellis, Grant, Hicks, Hopkins, Long, Masters, Meeker and Trowbridge—11.

On motion of Mr. Hunkins,

A call of the house was then made, when

Messrs. Agry, Birchard, Elmore, Manahan and Palmer, were reported to be absent.

On motion of Mr. Hunkins,

Ordered, that Mr. Manahan be excused from attendance in the house on the present call.

Then the sergeant-at-arms was sent to notify Messrs. Agry, Birchard, Elmore and Palmer, that their attendance was desired in the house.

Several of the absentees having appeared in their seats,

On motion of Mr. Darling,

Further proceedings in the call of the house were dispensed with.

The question was then put on the adoption of said resolution,

And it passed in the negative.

The ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Hicks, Long, Masters, Meeker, Thompson and Trowbridge—12.

Those who voted in the negative were,

Messrs. Capron, Elmore, Grant, Hopkins, Hunkins, Messersmith, Olin, Parsons, Platt, Price, Tripp and Walker (spk'r.)–12.

A message from the council by their secretary:

"Mr. Speaker: The council have indefinitely postponed

"Resolution to request the governor to return a certain bill to the house of representatives;" and have passed

No. 2, (H.) "Memorial to congress asking an amendment to the act of congress of 29th August, 1842, and for other purposes."

And have concurred in the amendment of the house of representatives to the amendment of the council to

No. 4, (H.) "Resolution to appoint an agent to receive an appropriation to replenish the library;"

And have insisted on their amendments to

No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes;"

And have appointed Messrs. Strong and Frank a committee of conference on the disagreeing vote of the two houses, and desire a conference thereon.

And have passed

No. 30, (C.) "A bill suplementary to an act to provide for the punishment of offences against the public peace," and

No. 33, (H.) "A bill for the relief of the county of Calumet," with an amendment;

In which I am directed to ask the concurrence of this house.

Mr. Long, from the committee on onrolled bills, reported as correctly enrolled the undermentioned, to wit:

No. 8, (C.) "Address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States relative to the infringement of the boundaries of Wisconsin;"

No. 44, (C.) "A bill to submit to the people of Wisconsin the question of the expediency of forming a state government;"

No. 60, (C.) "A bill to amend the act to incorporate the village of Southport;"

Which were severally signed by the speaker.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed, the following, to wit:

No. 45, (H.) "A bill to erect the towns of Jackson and Palmyra;"

No. 48, (H.) "A bill to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac."

Mr. Elmore, by leave, presented the account of Messrs. Sheldon & Hyer for printing;

Which was referred to the committee on legislative expenditures.

Mr. Elmore also from the same committee to which was referred the account of W. W. Wyman for printing, reported that the committee had disallowed said account, and moved that the report be accepted and the committee discharged from the further consideration of the subject.

And the question being put thereon,

It passed in the affirmative.

A division being called,

There were ayes 14, noes not counted.

Bills on their third reading being announced by the speaker,

The undermentioned were severally read the third time, passed, and the titles thereof agreed to, to wit:

No. 45, (H.) "A bill to erect the towns of Jackson and Palmyra;" and

No. 48, (H.) "A bill to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac."

On the passage of bill No. 45, above named,

The ayes and noes were called for by Mr. Masters,

And those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Long, Messersmith, Meeker, Olin, Parsons, Platt, and Tripp—15.

Those who voted in the negative, were

Messrs. Hicks, Hopkins, Hunkins, Masters, Price, Thompson, Trowbridge and Walker, (speaker)—8.

On motion of Mr. Ellis,

Ordered, that the undermentioned bill be taken up, and the amendments made by the council thereto, be concurred in, viz:

No. 23, (H.) "A bill to authorize David Jones and Erastus Bailey to maintain a dam across the Pish-te-go river."

The message from the council was taken up; when

Bill No. 30, (C.) entitled "A bill supplementary to an act to provide for the punishment of offences against the public peace,"

Was read the first and second time.

The amendment made by the council to

Bill No. 33, (H.) entitled "A bill for the relief of the county of Calumet,"

Was read and concurred in.

Messrs. Trowbridge and Hopkins were appointed of the committee of conference to which bill No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes," was referred.

On motion of Mr. Capron,

Bill No. 62, (C.) "A bill to incorporate the village of Geneva,"

Was taken up and committed to the committee of the whole house.

Mr. Darling, by leave, introduced the following bill, which was read the first and second time; and the rule requiring bills to be printed before being considered in the committee of the whole, suspended, to wit:

No. 51, (H.) "A bill to enable the county of Portage to procure certain records from the county of Brown."

Mr. Ellis moved to reconsider the vote by which the house concurred in the amendments of the council to

Bill No. 23, (H.) "A bill to authorize David Jones and Erastus Bailey to maintain a dam across the Pish-te-go river;"

Which motion was laid on the table.

On motion of Mr. Hunkins,

The house resolved itself into the committee of the whole house,

Mr. Platt in the chair,

For the consideration of the following bills, memorials, and resolutions, to wit:

No. 6, (C.) "Memorial to congress for the adjustment of land titles and the sale of mineral lands in the Mineral Point land district;"

No. 7, (C.) "Memorial to congress relative to the Wisconsin Marine and Fire Insurance Company;"

No. 19, (C.) "Resolutions relative to printing the laws and journals of the present session, and the reports of the decisions in the supreme court;"

No. 17, (C.) "A bill relating to the district courts in the second and third judicial districts;"

No. 24, (C.) "A bill to amend an act entitled an act concerning justices of the peace, and for other purposes;"

No. 37, (C.) "A bill to amend an act concerning proceedings in courts of record, and for other purposes;"

No. 40, (C.) "A bill to amend an act entitled an act concerning costs and fees;"

No. 50, (C.) "A bill to change the name of Cyrus Manchester Hussy Burgess to Cyrus Manchester Hussy Lay;"

No. 54, (C.) "A bill to change the name of Cordelia Elvita Hood to Cordelia Elvira Burris, and to provide that the said Cordelia shall be the adopted child and legal heir of Martin V. Burris;"

No. 64, (C.) "A bill in relation to certain county officers in St. Croix county;"

No. 62, (C.) "A bill to incorporate the village of Geneva;"

No. 30, (C.) "A bill supplementary to an act to provide for the punishment of offences against the public peace:"

After some time spent therein, the committee rose and reported bills Nos. 40 and 62 with amendments, and bills, memorial and resolution without amendment, as follows: memorial No. 6, resolution No. 19, and bills Nos. 17, 37, 60, 54, 64 and 30, and recommended memorial No. 7 to be indefinitely postponed.

The amendments to bill No. 62 were concurred in, the bill ordered to a third reading, and by special order of the house was read the third time, passed, and the title thereof agreed to.

On the question of the passage of said bill, the ayes and noes were called for by Mr. Hunkins, and

Those who voted in the affirmative, were,

Messrs. Birchard, Capron, Crossman, Elmore, Grant, Hopkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Tripp, Trowbridge and Walker (speaker)—18.

Those who voted in the negative, were

Messrs. Bartlett, Darling, Ellis, Hicks and Hunkins—5.

The amendments to bill No. 40 were concurred in, when

Mr. Ellis moved the indefinite postponement of said bill,

And the question was put, and passed in the affirmative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Ellis, Elmore, Hicks, Hunkins, Long, Masters, Messersmith, Olin, Parsons, Platt, Price, Thompson and Tripp—16.

Those who voted in the negative were,

Messrs. Crossman, Darling, Grant, Hopkins, Manahan, Meeker, Trowbridge and Walker (speaker)—8.

On motion of Mr. Platt,

Memorial No. 6 (C.) was indefinitely postponed.

The question then recurred on agreeing to the report of the committee of the whole on memorial No. 7, which recommended the indefinite postponement of the said memorial; and

Mr. Hicks rose to debate the said question, when

The speaker decided the question not debatable.

Mr. Darling took an appeal from the decision of the chair;

And the question was put,

"Shall the decision of the chair stand as the judgment of the house?"

And passed in the negative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Birchard, Capron, Long, Messersmith, Parsons, Platt, Price, Tripp and Trowbridge—9.

Those who voted in the negative were,

Messrs. Bartlett, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Hunkins, Manahan, Masters, Meeker, Olin and Thompson—14.

So the decision of the chair was reversed.

Mr. Elmore demanded the previous question; when

Mr. Ellis moved to adjourn;

Which was disagreed to.

And pending the question, and

On motion of Mr. Elmore,

A call of the house was made, and Messrs. Agry and Palmer reported to be absent; and,

On motion of Mr. Elmore,

Further proceedings in the call were dispensed with.

The question was then put in these words,

"Shall the main question be now put?"

And passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Capron, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, Tripp, Trowbridge and Walker (speaker)—22.

Those who voted in the negative were,

Messrs. Bartlett and Birchard—2.

The question was then put on concurring in the report of the committee,

And passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Capron, Elmore, Hicks, Hunkins, Long, Messersmith, Olin, Parsons, Platt, Price, Thompson, Tripp and Walker (speaker)—13.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hopkins, Manahan, Masters, Meeker, and Trowbridge—11.

Bill No. 17, (C.) was then ordered to a third reading; and by special order of the house, was read the third time, passed, and the title thereof agreed to, the rule prohibiting it from being so read, having first been suspended, on motion of Mr. Thompson.

Mr. Hopkins moved to lay resolution No. 19 on the table;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Bartlett, Capron, Elmore, Hopkins, Manahan, Olin, Platt, Price, Thompson and Tripp—10.

Those who voted in the negative were,

Messrs. Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Masters, Messersmith, Meeker, Parsons, Trowbridge and Walker, (speaker)—14.

Mr. Elmore moved to amend said resolution by striking out the words, "one hundred and twenty-five," wherever they may occur therein, and inserting in lieu thereof, the words "two hundred;" and then moved that the resolution do lie on the table; when

Mr. Hicks rose to debate the question.

The speaker decided that the question was not debatable,

From which decision of the chair Mr. Hicks took an appeal.

And the question being put,

"Shall the decision of the chair stand as the judgment of this house?"

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Hicks.

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, Tripp, and Trowbridge—23.

Mr. Hicks voted in the negative.

The question then recurred on laying said resolution on the table, and being put,

It passed in the negative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Elmore, Hopkins, Olin, Platt, Price, Thomson, and Tripp—9.

Those who voted in the negative, were

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Parsons, Trowbridge, and Walker (spk'r)—16.

Mr. Crossman moved that the amendment proposed by Mr. Elmore be laid on the table;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Elmore,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Crossman, Ellis, Hicks, Long, Messersmith, Meeker, Olin, Tripp, and Walker (spk'r.)—12.

Those who voted in the negative, were

Messrs. Capron, Darling, Elmore, Grant, Hopkins, Hunkins, Manahan, Masters, Parsons, Platt, Price, Thompson, and Trowbridge—13.

The question was then put on the adoption of the amendment moved by Mr. Elmore,

And passed in the affirmative.

Mr. Capron then moved that the house do now adjourn until half past two o'clock, P. M.;

And the question being put,

It passed in the affirmative;

And a division being called, there were ayes 12, noes 11.

So the house adjourned until half past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

Mr. Platt moved a call of the house,

When Messrs. Elmore, Grant, Manahan, Olin, Price, and Trowbridge, were reported to be absent.

On motion of Mr. Platt,

Ordered, that Mr. Manahan be excused from attendance in the house.

The sergeant-at-arms was sent to notify Messrs. Elmore, Grant, Olin, Price and Trowbridge that their attendance was desired in the house; when,

On motion of Mr. Thompson,

Further proceedings in the call of the house, were dispensed with.

Mr. Long, from the committee on enroled bills, reported as correctly enroled, the undermentioned bill,

Which was signed by the speaker, to wit:

No. 62, (C.) "A bill to incorporate the village of Geneva."

Mr. Elmore, by leave, presented the accounts of the post master at Madison, La Fayette Kellogg, for costs in territorial suits, and of W. W. Wyman, for printing;

Which were referred to the committee on legislative expenditures.

Mr. Trowbridge, from the committee of conference to whom was referred the disagreeing vote of the two houses on

Bill No. 31, (H.) "A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes," submitted the following report:

They recommend to the house to concur in all the amendments of the council except the second; and that the two houses adopt the following substitute for the second amendment:

"And all such evidences of debt which shall be thus presented, shall have a preference in their payment over those which shall not be so presented;"

And, the question being put on concurring in said report,

It passed in the affirmative.

A message from the council by their secretary:

"Mr. Speaker: The council have indefinitely postponed

No. 16, (H.) 'A bill to establish a ferry across the Mississippi river;' and have passed

No. 48, (H.) 'A bill to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac;'

And have also passed with amendments,

No. 43, (H.) 'A bill to provide for the leasing of school sections;'

In which I am directed to ask the concurrence of this house.

And have passed the following bills, in which I am directed to ask the concurrence of this house:

No. 55, (C.) 'A bill to amend an act to incorporate the trustees of the Prairieville Academy;'

And have passed with an amendment,

No. 49, (H.) 'A bill to authorize school district number one, in Dane county, to levy an additional tax for building a school house;'

In which I am directed to ask the concurrence of this house; and also,

No. 67, (C.) 'A bill to legalize the official acts of Rolein Blount;'

In which I am directed to ask a like concurrence."

Mr. Ellis, by leave, introduced the following resolution, which was adopted, to wit:

"*Resolved*, the honorable the council concurring, that our delegate in congress be requested to obtain from the secretary of war, an order for the preliminary examination and survey of a route for a road from Fort Howard at Green Bay to the Plover Portage on the Wisconsin river."

Mr. Darling, by leave, introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the report of the auditor and treasurer be referred to the joint committee on legislative expenditures, providing it shall not interfere with the printing of said report."

The speaker announced that the business before the house was the adoption of the report of the committee of the whole, as amended, to resolutions No. 19, (C.) "Resolutions relative to printing laws and journals of the present session, and the reports of the supreme court;"

When a call of the house was made by Mr. Hunkins,

And Mr. Manahan reported to be absent.

Mr. Olin moved that Mr. Manahan be excused from attendance in the house;

And the question being put thereon,

It passed in the negative.

A division being called, there were ayes 10, noes 10.

The sergeant-at-arms was sent to notify Mr. Manahan that his attendance was desired in the house.

Mr. Darling moved that further proceedings in the call of the house be dispensed with;

Which was disagreed to.

The sergeant-at-arms having reported that Mr. Manahan was quite ill, and unable to attend,

Ordered, that further proceedings under the call of the house be dispensed with.

Mr. Elmore moved to amend said resolution by striking out "January," and inserting "August" in lieu thereof;

Which was disagreed to.

Mr. Hunkins moved to amend said resolution by striking out the words, "publishers of the Wisconsin Democrat," and inserting "George Hyer;"

And the question being put thereon,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Masters, Meeker, Olin, Parsons, Trowbridge, and Walker (speaker)—13.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Elmore, Hopkins, Messersmith, Palmer, Platt, Price, Thompson, and Tripp—12.

The question then recurred on the adoption of the resolution as amended, and being put,

It passed in the affirmative;

And the ayes and nays having been called for,

Those who voted in the affirmative, were

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Hunkins, Long, Masters, Meeker, Olin, Parsons, Trowbridge, and Walker (speaker)—13.

Those who voted in the negative, were

Messrs. Bartlett, Capron, Elmore, Hicks, Hopkins, Messersmith, Palmer, Platt, Thompson, and Tripp—11.

The title was then agreed to.

Pending the question on ordering bill No. 24, (C.) "A bill to amend an act entitled 'an act concerning justices of the peace, and for other purposes,'" to a third reading;

Mr. Platt moved to strike out all after the enacting clause thereof;

And the question being put thereon, it passed in the negative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Ellis, Hicks, Masters, Palmer, Platt and Price—7.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Messersmith, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—17.

Mr. Platt then moved that said bill be indefinitely postponed;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Ellis, Hicks, Masters, Palmer, Platt, Price, and Walker (speaker)—8.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Messersmith, Meeker, Olin, Parsons, Thompson, Tripp and Trowbridge—16.

Mr. Capron moved to amend said bill, by adding the following to section 4, to wit:

"Provided also, that the provisions of this section shall not apply to any case except when personal service has been made in the original process."

And the question being put on the adoption thereof,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Capron,

Those who voted in the affirmative, were

Messrs. Agry, Capron, Crossman, Darling, Ellis, Elmore, Hicks, Hopkins, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Price, and Walker (spk'r.)—16.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Grant, Hunkins, Meeker, Tripp, and Trowbridge—7.

Mr. Hicks moved to amend said bill by striking out the fourth section thereof;

And the question being put thereon, it passed in the negative;

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative, were

Messrs. Agry, Ellis, Hicks, Messersmith, Palmer, Platt, and Price—7.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—17.

Mr. Hicks moved to amend said bill by adding thereto the following section, to wit:

"Sec. That the provisions of this bill shall not be applicable to Grant county."

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative, were

Messrs. Ellis, Hicks, Palmer, and Platt—4.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Parsons, Price, Thompson, Tripp, Trowbridge, and Walker (speaker)—20.

Mr. Ellis moved that said bill do lie on the table,

Which was disagreed to.

Mr. Ellis then moved that said bill be recommitted to the committee of the whole house;

Which was disagreed to.

Mr. Messersmith moved to amend the fourth section of said bill by striking out the word "fifteen," before "dollars," and inserting in lieu thereof the word "nine."

Which was disagreed to.

Mr. Platt moved to amend the fourth section of said bill, by striking out the word "fifteen," before "dollars," and inserting in lieu thereof the word "fifty;"

When Mr. Hunkins moved the previous question.

Mr. Hicks inquired if that question cut off debate.

The speaker decided that it did.

From which decision Mr. Hicks appealed to the house;

And the question was put, "Shall the decision of the chair stand as the judgment of the house?"

And passed in the affirmative.

And the ayes and noes being called for by Mr. Hicks,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, and Trowbridge—22.

Mr. Hicks voted in the negative.

The question was then put, "Shall the main question be now put?"

And passed in the affirmative.

The main question was then put on ordering the said bill to a third reading, and passed in the affirmative.

Mr. Thompson moved that the sixteenth rule be suspended, and that the bill be read the third time;

And the question was put, and passed in the affirmative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Elmore, Grant, Hopkins, Hunkins, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—17.

Those who voted in the negative, were

Messrs. Ellis, Hicks, Long, Messersmith, Palmer, Platt, and Price—7.

The said bill was then read the third time and passed.

Mr. Platt moved to amend the title to read, "A bill to defeat the attainment of justice by the poor man who has a small debt to collect against a rich one;" which was disagreed to.

The title was then agreed to.

Mr. Hicks moved to strike out the first section to bill No. 30, (C.) which was disagreed to.

The bill was then ordered to a third reading.

Mr. Thompson moved that the sixteenth rule of the house be suspended, and that the bill be now read the third time;

And the question being put,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—18.

Those who voted in the negative, were

Messrs. Ellis, Hicks, Messersmith, Platt, and Price—5.

Mr. Hicks moved that the bill do lie on the table;

Which was disagreed to.

Pending the question on the passage of said bill,

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, which were signed by the speaker, to wit:

No. 23, (H.) "A bill to authorize the construction of certain dams therein mentioned;"

No. 33, (H.) "A bill for the relief of the county of Calumet;"

No. 48, (H.) "A bill to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac;"

No. 2, (H.) "Memorial to congress, asking an amendment to the act of congress of the 29th of August, 1842, and for other purposes;"

No. 4, (H.) "Resolution to appoint an agent to receive an appropriation to replenish the library."

Mr. Long, from the same committee, reported that they did, on this day, present to the governor for his approval, the following:

"An act to annex certain land to the town of Geneva;"

"An act to change the name of Nemahbin, in the county of Milwaukee;"

"An act to incorporate the Madison Academy;"

"An act to submit to the people of Wisconsin the question of the expediency of forming a state government;" and

"An act to amend the 'act to incorporate the village of Southport.'"

The said bill No. 30, (C.) was then read the third time, passed, and the title agreed to.

And the ayes and noes having been called for on the said question,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—16.

Those who voted in the negative, were

Messrs. Ellis, Hicks, Long, Masters, Messersmith, Palmer, Platt, and Price—8.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have adopted the report of the joint committee of conference on the disagreeing vote of the two houses on the amendment of the council to

No. 31, (H.) 'A bill to repeal the several acts appointing a treasurer and auditor, and for other purposes;'

And have passed the bill with the amendments therein recommended; and have passed,

No. 27, (H.) 'Resolution relative to the survey of a road from Fort Howard to Plover Portage;'

And have refused to recede from their amendments to

No. 5, (H.) entitled 'Address of the legislature of the territory of Wisconsin to the secretary of the treasury of the United States."

And have passed,

No. 24, (C.) 'Joint resolution for information from the treasury department relative to the expenses of the legislative assembly;'

In which I am directed to ask the concurrence of this house."

The question then recurred on ordering bill No. 37 (C.) to a third reading; and being put,

It passed in the negative.

And a division being called, there were ayes 5, noes 11.

Bills Nos. 50 and 54 (C.) were ordered to a third reading, and by special order of the house were read the third time, passed, and the titles thereof agreed to, the 16th rule of the house having been suspended on motion of Mr. Darling.

Mr. Agry, from the judiciary committee, to which a petition was referred, reported a memorial, which was read the first and second time, and the rule to print suspended in reference to it, entitled

No. 8, "Memorial to congress for the indemnification of Elbert Dickinson."

Mr. Elmore moved to reconsider the vote by which the house had just postponed indefinitely bill No. 40 (C.)

And the question being put thereon,

It passed in the affirmative.

The question was then put on the indefinite postponement of said bill,

And it passed in the negative.

The said bill was then ordered to the third reading, and by the special order of the house was then read the third time, passed, and the title thereof agreed to, so much of the 16th rule of the house as prohibits bill from receiving their second and third readings on the same day having been suspnded for that purpose.

Mr. Agry moved the house adjourn until half-past six o'clock, P. M.;

And the question being put,

It passed in the negative.

Mr. Parsons moved to reconsider the vote by which the house refused to order bill No. 37 (C.) to the third reading;

And the question being put thereon,

It passed in the affirmative.

On motion of Mr. Hopkins,

Ordered, that said bill and amendment do lie on the table.

Mr. Ellis, by leave, introduced the following resolution, to wit:

Resolved, the council concurring, that resolution No. 15, (H.) by which it was ordered that the present session of the assembly cease and determine on the 29th inst, be and the same is hereby rescinded.

Mr. Hunkins moved that said resolution do lie on the table;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Elmore,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Hunkins, Long, Masters, Olin, Parsons, Platt, Thompson, Trowbridge, and Walker (speaker)—11.

Those who voted in the negative were,

Messrs. Agry, Birchard, Capron, Darling, Ellis, Elmore, Grant, Hicks, Hopkins, Messersmith, Meeker and Price—13.

Mr. Darling moved that the further action on said resolution be postponed until to-morrow;

Which was disagreed to.

The question then recurred on the adoption of said resolution; and it being put,

It passed in the negative;

And the ayes and noes having been called for by Mr. Agry,

Those who voted in the affirmative, were

Messrs. Birchard, Ellis, Palmer and Walker (speaker)—4.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, Tripp and Trowbridge—21.

The message from the council was taken up, when the following bills and resolution were read the first and second time, viz:

No. 55, (C.) "A bill to amend an act to incorporate the trustees of the Prairieville Academy;"

No. 57, (C.) "A bill to legalize the official acts of Rollin Blount;"

No. 24, (C.) "Joint resolution for information from the treasury department relative to the expenses of the legislative assembly;"

And the amendments of the council to bill No. 43, (H.) "A bill to provide for the leasing of school sections," having been read, the house concurred in all the amendments to the first section of the bill, and refused to concur in the second amendment, which struck out all after the first section;

And Messrs. Hopkins and Darling were appointed a committee of conference thereon.

And the amendment to bill No. 49, (H.) "A bill to authorize school district number one, in Dane county, to levy an additional tax for building a school house," was read and concurred in.

The action of the council on memorial No. 5, (H.) "Address of the legislature of the territory of Wisconsin to the secretary of the treasury of the United States," having been read,

Mr. Elmore moved that the house adhere to their non-concurrence in the amendments of the council;

Which was agreed to.

On motion of Mr. Hunkins,

The house adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

On motion of Mr. Ellis,

The following resolution was adopted, to wit:

Resolved, by the house of representatives, the honorable the council concurring, that no new bill or resolution requiring the executive approval, be introduced after the morning hour of Saturday next, the 27th instant."

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled;

Which was signed by the speaker, to wit:

No. 7, (C.) "A bill to provide for the election of clerks of the boards of supervisors, and for other purposes."

On motion of Mr. Thompson,

The house took up the following bill and referred it to the committee of the whole house, to wit:

No. 22, (C.) "A bill to amend an act entitled an act concerning notaries public."

On motion of Mr. Platt,

The house resolved itself into the committee of the whole house,

Mr. Platt in the chair,

For the consideration of the following bills, and including the bill last aforesaid, to wit:

No. 22, (C.) "A bill to amend an act entitled an act concerning notaries public;"

No. 67, (C.) "A bill to legalize the official acts of Rollin Blount;"

No. 55, (C.) "A bill to amend an act to incorporate the Prairieville Academy;"

No. 47, (H.) "A bill to provide for the payment of the expenses of the legislative assembly, and for other purposes;"

No. 40, (H.) "A bill to provide for the payment of the expenses of the legislative assembly, therein named;"

No. 3, (H.) "A bill to provide for assessing and collecting the county revenue for the county of Grant;"

No. 7, (H.) "A bill to provide for the security of the rights of

the territory to the canal lands; and to prevent imposition being practiced on the territory in regard to said lands, on a pretence of a sale for taxes;"

No. 27, (H.) "A bill to prevent the circulation of the bills of foreign banks, within the limits of the territory of Wisconsin;"

No. 34, (H.) "A bill to authorize the people to vote at the next general election for or against the formation of a state government;"

No. 36, (H.) "A bill to authorize James Campbell and Thomas Stewart to build and maintain a dam on Sugar river;"

No. 46, (H.) "A bill to punish trespass on lands;"

No. 50, (H.) "A bill to authorize school district No. 1, in Dane county, to levy an additional tax for building a school house;"

No. 51, (H.) "A bill to enable the county of Portage to procure certain records from the county of Brown;"

No. 8, (H.) "Memorial to congress for the indemnification of Elbert Dickinson;"

No. 24, (C.) "Joint resolution for information from the treasury department relative to the expenses of the legislative assembly;"

No. 19, (H.) "Preamble and resolutions in relation to a certain bond issued to N. C. Prentiss, building commissioner of the territory of Wisconsin;"

No. 23, (H.) "Resolutions relative to the Wisconsin Marine and Fire Insurance Company;"

No. 24, (H.) "Resolution to discontinue certain territorial suits."

After a long time spent therein, the committee rose and reported the following bills and resolution with amendments, viz:

Bills Nos. 40, 46 and 50, (H.); and

Resolution 23, (H.);

And the following without amendment, to wit:

Bills, Nos. 47, 3, 7, 27, 34, 36, (H.); and 67, 55 and 23 (C.)

Memorial No. 8, (H.); and

Resolutions 19, 23, 24, (H.); and 55 and 24, (C.)

The amendments to bills Nos. 46 and 50, (H.) were concurred in, and the bills severally ordered to be engrossed.

The amendment to resolution No. 23, (H.) was concurred in; when

Mr. Parsons moved the following amendment:

"Provided, that no part of the cost of said suits shall be paid out of the territorial treasury."

Mr. Darling moved to lay the resolution and amendment on the table.

And the question being put,

It passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Long, Masters, Meeker and Trowbridge—9.

Those who voted in the negative were,

Messrs. Agry, Elmore, Grant, Hicks, Hopkins, Hunkins, Messersmith, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp and Walker (speaker.)—15.

Mr. Hopkins moved to amend said resolution by adding the following provision, to wit:

"Provided, that the expenses shall not exceed two hundred dollars;"

Which was disagreed to.

Mr. Trowbridge moved that the house do now adjourn;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Ellis, Grant, Masters, Meeker and Trowbridge—7.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Darling, Elmore, Hicks, Hopkins, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp and Walker (speaker)—17.

Mr. Ellis moved a further amendment to said resolution,

When Mr. Platt moved the previous question;

And it was put in these words:

"Shall the main question be now put?"

And it passed in the negative.

The house having refused to sustain the previous question, the bill lies over until the next sitting.

Mr. Long, from the committee an enrolled bills, reported as correctly enrolled, the following, to wit:

No. 31, (H.) "A bill to repeal the several acts appointing an auditor and treasurer, and for other purposes;"

Which was signed by the speaker.

A message from the council by their secretary, to wit:

"Mr. Speaker: The governor has notified the council that he has on this day approved and deposited in the office of the secretary of the territory,

'An act to annex certain lands to the town of Geneva;' and

'An act to incorporate the Madison Academy.'

The council have concurred in the amendments of this house, to

No. 19, (C.) 'Resolutions relative to printing the laws and journals of the present session, and the reports of the decisions of the surpeme court;'

And have adopted the report of the committee of conference on the disagreeing vote of the two houses on

No. 7, (C.) 'A bill to provide for the election of clerks of the boards of supervisors, and for other purposes.'"

Bills Nos. 40 and 27, (H.), and resolution 24, (H.), were severally ordered to lie on the table.

Bills Nos. 3 and 34, (H.), and 22, (C.), and resolution 19, (H.), were severally indefinitely postponed.

Bills 36 and 51, (H.), and memorials 7 and 8, (H.), were severally ordered to be engrossed; and by special order of the house, were read the third time, passed, and the titles thereof agreed to, the 16th rule of the house having been suspended for that purpose.

The undermentioned were severally ordered to the third reading; and

By special order of the house, were read the third time, passed, and their titles agreed to, to wit:

Resolution No. 24, (C.), and bills Nos. 55 and 67, (C.)

On motion of Mr. Platt,

The house adjourned.

SATURDAY, January 27, 1844.

On motion of Mr. Platt,

Ordered, that the reading of the journal be dispensed with.

Mr. Capron, by leave, offered the following resolution, to wit:

"*Resolved*, That the votes of this house by which bill No. 24, (C,) "A bill to amend an act entitled 'an act concerning justices of the peace,' and for other purposes," was amended, ordered to a third reading, and passed, be reconsidered."

A call of the house was made on motion of Mr. Hicks, when Messrs. Long and Manahan were reported to be absent.

On motion of Mr. Capron,

Ordered, that Mr. Manahan be excused from attendance in the house.

On motion of Mr. Capron,

Further proceedings in the call of the house were dispensed with.

Mr. Platt moved to amend said resolution, when

Mr. Hunkins moved the previous question;

And it being put in these words: "Shall the main question be now put?"

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Elmore, Grant, Hopkins, Hunkins, Long, Olin, Palmer, Parsons, Thompson, Tripp, Trowbridge, and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Agry, Darling, Ellis, Hicks, Masters, Messersmith, Meeker, Platt, and Price—9.

The main question was then put, being on the adoption of the resolution; and

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Elmore, Grant,

Hopkins, Hunkins, Long, Olin, Palmer, Parsons, Thompson, Tripp, Trowbridge, and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Agry, Darling, Ellis, Hicks, Masters, Messersmith, Meeker, Platt, and Price—9.

The question was then put on the adoption of the amendment proposed on yesterday by Mr. Capron, and

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Darling, Ellis, Elmore, Hicks, Masters, Messersmith, Olin, Palmer, Platt, and Price—11.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Hunkins, Meeker, Parsons, Tripp, Trowbridge, and Walker (speaker)—13.

The bill was then ordered to the third reading.

Mr. Capron moved to suspend so much of the 16th rule of the house as prohibits bills from receiving their second and third reading on the same day, in reference to said bill;

And the question being put thereon,

It passed in the negative;

(Two thirds of the members not having voted in the affirmative.)

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Elmore, Grant, Hopkins, Hunkins, Long, Parsons, Thompson, Tripp, Trowbridge, and Walker (speaker)—14.

Those who voted in the negative were,

Messrs. Agry, Darling, Ellis, Hicks, Messersmith, Meeker, Olin, Palmer, Platt, and Price—10.

Mr. Ellis, by leave, introduced the following preamble and resolution, to wit;

"Whereas the assembly did, on the 8th day of January, inst., pass a joint resolution to determine the present session on the 29th inst.; and

Whereas, since the passage of said resolution, the auditor and treasurer of the territory did submit a report, to wit: on the 23d day of January, inst., purporting to set forth the indebtedness of the territory; and

Whereas, the governor did, on yesterday, the 25th inst., communicate to the house of representatives a message covering a petition of sundry inhabitants of Milwaukee county, praying the legislative assembly to ascertain the indebtedness of the territory, and to make provisions for the payment thereof; and

Whereas, there has not been time since the introduction of said report and message, as aforesaid, and will not be time till the 29th inst., to enable the assembly to act on the important matters of the finances of the territory; and

Whereas, it is the imperious duty of the assembly, before it adjourns, to act on the subject of the said indebtedness of the territory; therefore,

Resolved, That the present session of the legislative assembly (the council concurring) shall determine on the first day of February next. Resolution No. 15, (H. F.) is hereby rescinded."

On motion of Mr. Capron,

A call of the house was made, and the sergeant-at-arms sent to notify Mr. Platt that his attendance was desired in the house.

Mr. Platt having appeared in his seat;

On motion of Mr. Capron,

Further proceedings in the call of the house were dispensed with.

The question was then put on the adoption of the resolution,

It passed in the affirmative;

And the ayes and nays having been called for by Mr. Hicks,

Those who voted in the affirmative, were

Messrs. Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hopkins, Hunkins, Masters, Meeker, Olin, Palmer, Parsons, Platt, Thompson, Trowbridge and Walker (speaker)—17.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Capron, Elmore, Long, Messersmith, Price, and Tripp—8.

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled, the following, to wit:

No. 49, (H.) "A bill to authorize school district number one, in Dane county, to levy an additional tax for building a school house;".

No. 17, (C.) "A bill relating to the district courts in the second and third judicial districts, and for other purposes;"

Which were signed by the speaker.

Mr. Darling, by leave, introduced the undermentioned joint resolution which were read the first and second time, to wit:

No. 29, (H.) "Joint resolutions appointing an agent to present certain claims to the treasury department, and ascertain the territorial indebtedness."

Mr. Bartlett presented the petition of Stephen Field and others, inhabitants of the town of East Troy, praying for the passage of a resolution requesting the delegate in congress to get a post office established at East Troy;

Which was read and laid on the table.

Mr. Thompson moved that so much of the 15th rule of the house as prohibits bills from being introduced without one day's notice being previously given, be supended, to enable him to introduce a bill;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Hopkins,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Grant, Hicks, Hopkins, Hunkins, Masters, Meeker, Palmer, Parsons, Platt, Thompson, Tripp, and Trowbridge—18.

Those who voted in the negative were,

Messrs. Ellis, Elmore, Messersmith, Price, and Walker (speaker)—5.

Thereupon, Mr. Thompson, by leave introduced the following bill, to wit:

No. 52, (H.) "A bill to enable school districts to raise taxes."

A message from the governor by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed to deliver to the house of representative a message from the governor in writing."

The speaker laid the said message of the governor before the house, notifying it that he did, on the 27th inst., approve and deposite in the office of the secretary of the territory:

"An act to change the name of the town of Nemahbin, in the county of Milwaukee."

Mr. Elmore objected to the introduction of the said bill No. 52, (H.)

Mr. Platt called for the previous question;

And the question being put,

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Grant, Hicks, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Thompson, Tripp, Trowbridge, and Walker (speaker)—22.

Those who voted in the negative were,

Messrs. Elmore and Price—2.

The main question was then put: "Shall the bill be rejected?"

And passed in the negative.

The said bill was then read the first and second times.

Mr. Crossman, from the committee on engrossed bills, reported the following to be correctly engrossed, to wit:

No. 46, (H.) "A bill to punish trespass on lands;"

No. 50, (H.) "A bill relating to commissioners of highways."

Mr. Bartlett, by leave, introduced the following preamble and resolution, which was read and adopted, to wit:

"Whereas, the town of East Troy, in Walworth county, contains more than six hundred inhabitants, being the most populous town between Milwaukee and Janesville, and is nearly equi distant from those two places; and

Whereas, there is in said town a flourishing village, through which the mail from Milwaukee to Janesville and Madison is carried in stages which daily stop in said village to exchange horses; and

Whereas, the wants and wishes of the people of that town urgently demand the establishment of a post office therein, which would be not only highly beneficial to the citizens of said town, but, it is believed, would be for the interest of the post office department itself; therefore,

Resolved, That the hon. Henry Dodge, delegate in congress from this territory, be respectfully requested to use his influence and exertions to procure the early establishment of a post office in said town of East Troy."

Mr. Long, from the committee on enrolled bills, reported the following to be correctly enrolled, which were signed by the speaker, to wit:

No. 50, (C.) "A bill to change the name of Cyrus Manchester Hussey Burgess to Cyrus Manchester Hussey Lay;"

No. 54, (C.) "A bill to change the name of Cordelia Elvira Hood to Cordelia Elvira Burris, and to provide that said Cordelia shall be the adopted child and legal heir of Martin V. Burris;"

No. 55, (C) "A bill to amend an act to incorporate the trustees of the Prirevile Academy;"

No. 67, (C.) "A bill to legalize the official acts of Rollin Blount."

Mr. Long, from the same committee, made the following report:

The committee on enrolment report, that they did, on this day, present to the governor for his approval:

"An act to incorporate the village of Geneva;"

"An act relating to the district courts in the second and third judicial districts, and for other purposes;"

"An act to authorize school district No. 1, in Dane county, to levy an additional tax for building a school house;"

"An act to authorize the construction of certain dams therein named;

"An act for the relief of the county of Calumet;"

"An act to repeal the several acts appointing a treasurer and auditor, and for other purposes;"

"An act to provide for the election of clerks of the boards of supervisors, and for other purposes;"

"An act to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac."

Bills on their passage being announced,

No. 46, (H.) "A bill to punish trespass on lands,"

Was read the third time, when

Mr. Platt moved the indefinite postponement of the bill;

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Hunkins, Olin, Platt, Price, and Trowbridge—7.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Crossman, Elmore, Grant, Hicks, Hopkins, Masters, Messersmith, Meeker, Palmer, Parsons, Thompson, and Walker (speaker)—15.

The said bill was then passed, ane the title thereof agreed to.

No. 50, (H.) "A bill relating to commissioners of highways,"

Was read the third time, when

Mr. Ellis asked the unanimous consent of the house to amend the bill;

And objection being made,

Mr. Ellis moved to re-commit the bill to the committee of the whole house;

And the question being put,

It passed in the negative.

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative were,

Messrs. Darling, Ellis, Grant, Hicks, Hopkins, Palmer, and Walker (speaker)—7.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Crossman, Elmore, Hunkins, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, and Trowbridge—15.

The question was then put on the passage of the bill,

And passed in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Crossman, Elmore, Hicks, Hunkins, Long, Messersmith, Meeker, Parsons, Platt, Thompson, and Walker (speaker)—12.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Capron, Darling, Ellis, Grant, Hopkins, Masters, Olin, Palmer, Price, Tripp, and Trowbridge—13.

So the bill was negatived.

No. 64, (C.) "A bill relating to certain county officers in St. Croix county,"

Was read the third time, when

Mr. Price moved to lay the bill on the table;

The question was then put on the passage of the bill,

And passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Parsons, Platt, and Tripp—19.

Those who voted in the negative were,

Messrs. Hicks, Price, Thompson, and Walker (speaker)—4.

The title was then agreed to.

Mr. Parsons moved that bill No. 37, (C.) "A bill to amend an act concerning proceedings in courts of record, and for other purposes," be taken up,

Which was agreed to.

And the question being put on the passage of the bill,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Elmore, Grant, Hopkins, Hunkins, Long, Masters, Olin, Parsons, Thompson, Tripp, and Trowbridge—16.

Those who voted in the negative were,

Messrs. Darling, Ellis, Hicks, Messersmith, Meeker, Platt, Price, and Walker (speaker)—8.

The title to the said bill was then agreed to.

A message from the council by their secretary, to wit:

"Mr. Speaker: The council have passed the following, in which I am directed to ask the concurrence of this house:

No. 68, (C.) 'A bill relating to territorial roads.'

And have concurred in resolution

No. 28, (H.) 'Resolution prohibiting the introduction of new bills;'

And have passed the following bills and memorials of this house:

No. 36, 'A bill to authorize James Campbell and Thomas Stewart to build and maintain a dam on Sugar river;'

No. 51, 'A bill to enable the county of Portage to procure certain records from the county of Brown;'

No. 7, 'Memorial to the congress of the United States, relative to a United States road from Prairie du Chien to La Pointe, on Lake Superior;'

No. 8, 'Memorial to congress for the indemnification of Elbert Dickinson;'

No. 46, 'A bill to punish trespass on lands.'"

On motion of Mr. Elmore,

The house took up bill No. 40, (H.) "A bill to provide for the payment of the expenses of the legislative assembly therein mentioned."

Mr. Ellis moved to amend the item appropriating one hundred

dollars to the reverend Mr. Bennett, by inserting after the word "hundred," the word "fifty;"

Which was disagreed to.

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled, the undermentioned, which were signed by the speaker, to wit:

No. 30, (C.) "A bill supplementary to an act to provide for the punishment of offences against the public peace;"

No. 40, (C.) "A bill to amend an act entitled 'an act concerning costs and fees."

Mr. Capron then moved to amend bill No. 40, by striking out the item appropriating one hundred and forty-one dollars to John Y. Smith, superintendent of territorial property, for payment of assistant librarian.

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Capron,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Hicks, Hopkins, Messersmith, Palmer, Price, and Tripp—8.

Those who voted in the negative, were

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Long, Masters, Meeker, Olin, Parsons, Platt, Thompson, Trowbridge, and Walker (spk'r.)—17.

Mr. Capron moved to amend said bill by striking out the item appropriating three hundred dollars to John Y. Smith, superintendent of territorial property, for his salary one year.

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Capron,

Those who voted in the affirmative, were

Messrs. Capron, Hopkins, Palmer, Price, and Tripp—5.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hicks, Hunkins, Long, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Thompson, Trowbridge, and Walker (speaker)—20.

The question was then put on concurring in the amendments made to said bill by the committee of the whole house,

And it passed in the affirmative.

Mr. Capron moved further to amend said bill, by adding the following, to wit:

"To W. W. Wyman, for printing done for executive office during the present session, seventy-six dollars and seventy-five cents."

Mr. Elmore moved to amend the amendment by striking out "seventy-six dollars and seventy-five cents," and inserting in lieu thereof, "eight dollars."

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative, were

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Elmore, Grant, Hunkins, Masters, Meeker, Parsons, and Walker (speaker)—12.

Those who voted in the negative, were

Messrs. Bartlett, Capron, Hicks, Hopkins, Long, Messersmith, Olin, Palmer, Platt, Price, Thompson, and Tripp—12.

Mr. Platt moved a call of the house, which was made,

And the sergeant-at-arms sent to notify Mr. Trowbridge that his attendance was desired in the house.

Mr. Trowbridge having appeared in his seat,

Further proceedings in the call of the house were dispensed with.

The question was then put on agreeing to tho amendment proposed by Mr. Capron;

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Capron,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Ellis, Hicks, Hopkins, Long, Messersmith, Olin, Palmer, Platt, Price, Thompson, and Tripp—13.

Those who voted in the negative, were

Messrs. Agry, Birchard, Crossman, Darling, Elmore, Grant, Hunkins, Masters, Meeker, Parsons, Trowbridge, and Walker (spk'r.)—12.

The bill was then ordered to be engrossed for the third reading.

Mr. Hunkins moved that so much of the sixteenth rule of the house, prohibiting bills from receiving their second and third reading on the same day, be suspended in reference to said bill;

Which was disagreed to.

Mr. Long, from the committee on enrolled bills, reported that they did on this day present to the governor for his approval,

"An act to change the name of Cordelia Elvira Hood, to Cordelia Elvira Burris, and to provide that said Cordelia shall be the adopted child and legal heir of Martin V. Burris;"

"An act to change the name of Cyrus Manchester Hussey Burgess, to Cyrus Manchester Hussey Lay,"

"An act to amend 'an act to incorporate the trustees of the Prairieville Academy;'"

"An act to legalize the official acts of Rollin Blount;"

"An act supplementary to 'an act to provide for the punishment of offences against the public peace;" and

"An act to amend 'an act entitled an act concerning costs and fees.'"

Mr. Crossman, from the committee on engrossed bills, reported the following as correctly engrossed, to wit:

No. 40, (H.) "A bill to provide for the payment of the expenses of the legislative assembly therein mentioned,"

The message from the council was taken up,

When the following bill was read the first and second time, viz:

No. 68, (C.) "A bill relating to territorial roads."

On motion of Mr. Hunkins,

The house resolved itself into the committee of the whole house, for the consideration of the undermentioned bills,

Mr. Darling in the chair:

No. 52, (H.) "A bill to enable school districts to raise taxes;"

No. 68, (C.) "A bill relating to territorial roads."

After a short time spent therein, the committee rose and reported said bills with amendments to each,

Which were concurred in by the house;

And bill No. 68 ordered to the third reading, and bill No. 52 to be engrossed.

Mr. Tripp moved that so much of the sixteenth rule of the house, prohibiting bills from receiving their second and third reading on the same day, be suspended in reference to said bill No. 68.

And the question being put thereon,

It passed in the affirmative;

And the said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Elmore moved to reconsider the vote by which the house refused to suspend the 16th rule of the house to enable bill No. 40, (H.) to be read the third time now;

Which was agreed to; and

Bill No. 40 was then read the third time, passed, and the title thereof agreed to.

Mr. Long, from the committee on enrolment, reported as correctly enrolled, the following, to wit:

No. 46, (H.) "A bill to punish trespass on lands;"

Which was signed by the speaker.

Mr. Thompson moved that so much of the 16th rule of the house, prohibiting bills from receiving their second and third reading on the same day, be suspended in reference to

Bill No. 52, (H.) "A bill to enable school districts to levy taxes."

On this question Mr. Elmore made a call of the house; when

Mr. Crossman moved that the house adjourn until half past two o'clock, P. M.;

And the question being put,

It passed in the affirmative.

So the house adjourned to half past two o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

Mr. Palmer moved for leave to change his vote on the indefinite postponement of

Bill No. 46, (H.) "A bill to punish trespass on land," from the negative to the affirmative;

And the question being put,

It passed in the affirmative.

Mr. Thompson moved that the 16th rule of the house be suspended with reference to

Bill No. 52, (H.) "A bill to enable school districts to raise taxes;"

And that the said bill be now read the third time;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

On the question of the passage of the said bill,

The ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Grant, Hicks, Hopkins, Hunkins, Long, Masters, Meeker, Olin, Palmer, Parsons, Thompson, and Trowbridge—18.

Those who voted in the negative, were

Messrs. Ellis, Messersmith, Platt, Price, Tripp, and Walker, (spk'r.)—6.

On motion of Mr. Elmore,

No. 46, (C.) "A bill making appropriations out of the territorial treasury for the payment of certain debts therein named,"

Was referred to the committee of the whole house, and was reported from the committee of the whole by Mr. Capron, the chairman, without amendment.

Mr. Meeker moved to amend the bill by inserting an appropriation to Mortimer M. Jackson of five hundred and fifty dollars for services as attorney general, to be in full to this date;

Which was agreed to.

Mr. Long, from the committee on enrolled bills, reported the following, to wit:

No. 36, (H.) "A bill to authorize James Campbell and Thos. Stewart to build and maintain a dam on Sugar river;"

No. 51, (H.) "A bill to enable the county of Portage to procure certain records from the county of Brown;"

No. 37. (C.) "A bill to amend the act concerning proceedings in courts of records, and for other purposes;"

No. 64, (C.) "A bill in relation to certain county officers in St. Croix county;"

No. 7, (H.) "Memorial to the congress of the United States, relative to a United States road from Prairie du Chien to La Pointe, on Lake Superior;"

No. 8, (H.) "Memorial to congress for the indemnification of Elbert Dickinson;"

No. 68, (C.) "A bill relating to territorial roads;"

Which were signed by the speaker.

Mr. Ellis moved the following amendment:

To Henry O. Sholes for publishing orders of the colonel of the second regiment Wisconsin Militia, in the Green Bay Republican, as per account rendered, fourteen dollars and fifty cents;

Which was disagreed to.

Mr. Ellis moved the following amendment:

To Henry S. Baird, interest on bond No. 18, issued on the 29th day of February, 1841, as per certificate of A. P. Field, secretary of Wisconsin, dated the 19th day of July, 1842, the sum of fifteen dollars and thirty-two cents;

Which was disagreed to.

The bill was then ordered to a third reading.

On motion of Mr. Platt,

The 16th rule of the house was suspended with reference to said bill, in order that the same might be read the third time now.

The said bill was then read the third time, passed, and the title thereof agreed to.

On the question of the passage of said bill, the ayes and noes were called for; and

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Darling, Ellis, Hicks, Hopkins, Long, Masters, Meeker, Parsons, Platt and Price—13.

Those who voted in the negative, were

Messrs. Capron, Crossman, Elmore, Grant, Hunkins, Olin, Thompson, Tripp and Walker (speaker)—9.

A message from the council by their secretary:

"Mr. Speaker: The council have passed,

No. 4, (H.) 'Address of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States,' with amendments, in which I am directed to ask the concurrence of this house."

The said message was taken up, and the amendments to said memorial concurred in.

On motion of Mr. Crossman,

Resolved, That the committee on legislative expenses be directed to ascertain and furnish a schedule of the furniture and other property belonging to the territory, in the office of the secretary of the territory, or belonging thereto.

On motion of Mr. Darling,

The house resolved itself into the committee of the whole house,

Mr. Birchard in the chair,

For the consideration of the following, to wit:

No. 39, (H.) "Joint resolution appointing an agent to present

claims to the treasury department and ascertain the territorial indebtedness;"

And after some time spent therein,

The committee rose and reported the resolutions with amendments.

On motion of Mr. Darling,

The house concurred in all the amendments except the following;

Which was rejected, to wit:

"Provided these resolutions shall not interfere with or repeal the ordinance of 1787."

The resolutions were then ordered to be engrossed.

On motion of Mr. Hicks,

The 16th rule was suspended, and the resolutions read the third time.

And the question was put on the passage thereof, and passed in the negative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Hicks, Hunkins, Long, Masters, Meeker, Trowbridge and Walker, (speaker) —12.

Those who voted in the negative, were

Messrs. Bartlett, Capron, Elmore, Grant, Hopkins, Messersmith, Olin, Parsons, Platt, Price, Thompson and Tripp—12.

Mr. Long, from the committee on enrolment, reported that they did on this day present to the governor for his approval,

"An act to punish trespass on lands;" also,

"An act to amend the act concerning proceedings in courts of records, and for other purposes;" also,

"An act to authorize James Campbell and Thomas Stewart to build and maintain a dam on the Sugar river;" also,

"An act in relation to certain county officers in St. Croix county;" also,

"An act to enable the county of Portage to procure certain records from the county of Brown;" also,

"An act relating to territorial roads;" also,

"Memorial to the congress of the United States relative to a United States road from Prairie du Chien to La Pointe, on Lake Superior;" also,

"Memorial to Congress for the indemnification of Elbert Dickinson."

On motion of Mr. Agry,

The house adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

A message from the council by the secretary.

"Mr. Speaker: The governor has notified the council that he has approved and deposited in the office of the secretary of the territory,

'An act to submit to the people of Wisconsin the question of the expediency of forming a state government;' and

'An act to amend the act to incorporate the village of Southport;' and

'An act to authorize the president and trustees of the town of Milwaukee to borrow money.'

The council have refused to concur in the amendment of this house, to

No. 46, (C.) 'A bill making appropriations out of the territorial treasury for the payment of certain debts therein named.'"

Mr. Platt moved a call of the house,

Which was made, when

Mr. Messersmith was reported to be absent; and

On motion of Mr. Platt,

Ordered, that Mr. Messersmith be excused from attendance in the house.

Mr. Meeker moved to reconsider the vote by which the house refused to suspend the 16th rule to enable bill No. 24, (C.) "A bill to amend an act entitled an act concerning justices of the peace, and for other purposes," to be ordered to the third reading.

On motion of Mr. Platt,

A call of the house was made, when

The sergeant-at-arms was sent to notify Messrs. Elmore and Messersmith that their attendance was desired in the house.

Mr. Long, from the committee on enrolled bills, reported the following as correctly enrolled, to wit:

No. 4, (H.) "Memorial of the council and house of representatives of the territory of Wisconsin, to the senate and house of representatives of the United States;"

Which was signed by the speaker.

Messrs. Elmore and Messersmith having appeared in their seats,

Further proceedings in the call of the house were dispensed with.

The question was then put on reconsidering the vote by which the house refused to suspend the 16th rule relative to bill No. 24, (C.), made by Mr. Meeker, and

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Hunkins, Long, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—19.

Those who voted in the negative, were

Messrs. Agry, Hicks, Messersmith, Palmer, Platt, and Price —6.

Mr. Elmore moved to recommit said bill to the committee of the whole house;

Which was agreed to.

On motion of Mr. Elmore,

The house resolved itself into the committee of the whole house for the consideration of said bill No. 24, (C.);

Mr. Ellis in the chair:

And after some time spent therein, the committee rose, and by their chairman reported said bill to the house with amendments;

Which were concurred in by the house.

Mr. Platt moved to strike out of said bill, all after the enacting clause;

And the question being put thereon,

It passed in the negative;

And the ayes and noes being called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Ellis, Hicks, Messersmith, Palmer, Platt, and Price—7.

Those who voted in the negative, were

Messrs. Birchard, Capron, Crossman, Darling, Elmore, Grant, Hopkins, Hunkins, Long, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—18.

Mr. Hicks then moved to amend said bill by striking out all after the fourth section;

On which motion, Mr. Hunkins moved the previous question.

And it being put in these words,

"Shall the main question be now put?"

It passed in the affirmative.

The said bill was then ordered to the third reading; when

Mr. Hunkins moved that so much of the 16th rule of the house preventing bills from receiving their second and third reading on the same day, be suspended in reference to said bill;

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Elmore, Grant, Hopkins, Hunkins, Long, Masters, Meeker, Olin, Palmer, Parsons, Thompson, Tripp, Trowbridge, and Walker (speaker)—20.

Those who voted in the negative were,

Messrs. Agry, Hicks, Messersmith, Platt and Price—5.

The bill was then read the third time, passed, and the title agreed to.

On the passage of said bill,

The ayes and noes were called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Elmore, Grant, Hicks, Hopkins, Hunkins, Long, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge and Walker (speaker)—19.

Those who voted in the negative were,

Messrs. Agry, Ellis, Messersmith, Palmer, Platt and Price—6.

On the question of agreeing to the title of said bill,

Mr. Platt moved to amend the same so as to read, "A bill to prevent justice;"

Which was disagreed to.

Mr. Hicks moved to reconsider the vote by which the house passed bill No. 24, (C.) "A bill to amend an act entitled an act concerning justices of the peace, and for other purposes;"

And the question being put thereon,

It passed in the negative;

Mr. Parsons moved to reconsider the vote by which the house refused to pass resolutions

No. 29, (H.) "Joint resolutions appointing an agent to present certain claims to the treasury department, and ascertain the territorial indebtedness;"

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Ellis, Hunkins, Long, Masters, Meeker, Parsons, Trowbridge and Walker (speaker)—11.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Elmore, Grant, Hicks, Hopkins, Messersmith, Olin, Palmer, Platt, Price, Thompson and Tripp—14.

The house resumed the consideration of

No. 23, (H.) "Resolutions relative to the Wisconsin Marine and Fire Insurance Company;"

(Which had laid on the table one day in consequence of the house refusing on yesterday to sustain the previous question.)

Mr. Darling moved to amend said resolutions, by submitting the following in lieu thereof, to wit:

"Whereas the legislative assembly of the territory of Wisconsin, at its session in the year 1839, passed 'an act to incorporate the Wisconsin Marine and Fire Insurance Company,' approved Feb. 28th, 1839, whereby the company so incorporated is authorized 'to receive money on deposite and loan the same;' [see act of incorporation.]

And whereas, said company have put in circulation certificates of such deposite, having the appearance and similitude of bank bills, to the amount of 52,461 dollars, as shown by their report to a committee of the legislative assembly; [see report of M. C. Darling.]

And whereas, a large majority of the stockholders of the said company are the citizens of a foreign government, and consequently not amenable to the laws of this territory; [see report of M. C. Darling, page 4.]

And whereas, the community possess no security for the redemption of such issues, beyond the personal integrity and honesty of the present officers of the company; [see act of incorporation,] therefore,

Resolved, That congress be respectfully requested to pass a law, approving and confirming the said act of incorporation, with

such safeguards and restrictions as shall effectually protect the interests of the community against fraud and fraudulent issues, or otherwise to restrict the said corporation to such business operations as were evidently intended to be conferred by the legislative assembly.

Resolved further, That the chief clerk be directed to transmit to the hon. Henry Dodge, an attested copy of the preamble and resolutions, together with a copy of the act of incorporation, certified under the hand of the secretary and seal of the territory; the reports of the several committees upon the subject, and the communications of A. Mitchell, Esq. to the assembly; and that the said delegate be requested to lay the same before both houses of congress."

Mr. Ellis moved to amend the amendment by adding the following, to wit:

"*Resolved further*, That the congress of the United States be asked to take action, similar to that asked for in relation to the Wisconsin Marine and Fire Insurance Company, with regard to the act incorporating the Fox River Hydraulic Company, and any act amendatory thereto, authorizing said company to issue evidences of debt."

On this question Mr. Hunkins moved a call of the house, which was made;

And the sergeant-at-arms sent to notify Messrs. Grant and Palmer that their attendance was desired in the house.

The absentees having appeared in their seats,

Further proceedings under the call of the house were dispensed with;

When Mr. Elmore moved that said resolutions and proposed amendment do lie on the table until the 4th day of July next.

And the question being put thereon,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Capron, Elmore, Hopkins, Hunkins, Long, Messersmith, Olin, Parsons, Platt, Price, Thompson, Tripp, and Walker (speaker)—13.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Masters, Meeker, and Trowbridge—11.

A message from the governor by Mr. Charles Doty, his private secretary:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

The message from the council was taken up,

When the house insisted on its amendment to bill No. 45, (H.) "A bill making appropriations out of the territorial treasury, for the payment of certain debts therein named;" in which amendment the council refused to concur.

The speaker laid before the house a message from the governor, notifying the house that he had on this day approved and deposited in the office of the secretary of the territory, bills and memorials, as follows:

"An act for the relief of the county of Calumet;"

"An act to authorize the construction of certain dams therein mentioned;"

"An act to punish trespass on lands;"

"An act to authorize school district number one, in Dane county, to lay an additional tax for building a school house;"

"An act to enable the county of Winnebago to obtain certain records from the counties of Brown and Fond du Lac;"

"An act to authorize James Campbell and Robert Stewart to build and maintain a dam on the Sugar river;"

"An act to enable the county of Portage to procure certain records from the county of Brown;"

"Memorial to the congress of the United States, relative to a United States road from Prairie du Chein to La Pointe, on Lake Superior;" and

"Memorial to congress for the indemnification of Elbert Dickinson."

A message from the council by their secretary:

"Mr. Speaker: The governor has notified the council that he has on this day approved the following:

'An act to change the name of Cordelia Elvira Hood, to Cordelia Elvira Burris, and to provide that said Cordelia shall be the adopted child and legal heir of Martin V. Burris;"

'An act to change the name of Cyrus Manchester Hussey Burgess, to Cyrus Manchester Hussey Lay;'

'An act to incorporate the village of Geneva;'

'An act to amend an act to incorporate the Prairieville Academy;'

'An act relating to the district courts in the second and third judicial districts, and for other purposes;'

'An act to provide for the election of clerks of the boards of supervisors, and for other purposes;'

'An act to legalize the official acts of Rollin Blount;'

'An act relating to territorial roads;'

'An to amend an act entitled an act concerning costs and fees;'

'An act supplementary to an act to provide for the punishment of offences against the public peace;'

The council have concurred in No. 30, (H.) entited 'Resolution rescinding No. 15, relative to adjournment,' with an amendment;

In which I am directed to ask the concurrence of this house.

And have concurred in the amendments of this house to

No. 24, (C.) 'A bill to amend an act entitled an act concerning justices of the peace, and for other purposes;'

And have passed

No. 40, (H.) 'A bill to provide for the payment of the expenses of the legislative assembly therein mentioned,'

With amendments, in which I am directed to ask the concurrence of this house."

The message from the council was taken up,

When the amendment made by the council to resolution

No. 30, (H.) "Resolution rescinding No. 15, relative to an adjournment,"

Was read and concurred in.

And the amendments made by the council to

Bill No. 40, (C.) "A bill to provide for the payment of the expenses of the legislative assembly therein mentioned;" having been read,

The house refused to concur in the amendment of the council which struck out the appropriation to W. W. Wyman for papers furnished the executive office, thirteen dollars and fifty cents;

And concurred in the amendment of the council which struck out the appropriation to W. W. Wyman, for printing for executive office, seventy-six dollars and seventy-five cents.

On the question of concurring in this amendment,

The ayes and nays were called for by Mr. Platt, and

Those who voted in the affirmative, were

Messrs. Agry, Birchard, Crossman, Darling, Elmore, Grant, Hunkins, Masters, Meeker, Parsons, Trowbridge and Walker (speaker)—12.

Those who voted in the negative, were

Messrs. Bartlett, Capron, Ellis, Hicks, Hopkins, Long, Olin, Platt, Thompson, and Tripp—10.

Mr. Meeker moved to amend the amendment of the council, by adding the following, to wit:

"To Joseph Jones, for services as sergeant-at-arms, ten dollars."

And the question being put on the adoption thereof,

It passed in the negative;

And the ayes and nays having been called for by Mr. Crossman,

Those who voted in the affirmative, were

Messrs. Darling, Ellis, Elmore, Hicks, Long, Meeker, Parsons, Thompson and Trowbridge—9.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Grant, Hopkins, Hunkins, Masters, Olin, Platt, Tripp and Trowbridge —13.

Mr. Hunkins moved to amend the amendment of the council by adding thereto, the following, to wit:

"To John W. Trowbridge, for writing done for the house of representatives, five dollars;"

Which was agreed to.

Mr. Hicks moved the following amendment, to wit:

"To Wm. H. Howe, for two days services as sergeant-at-arms, for the house of representatives, at three dollars per day;"

Which was disagreed to.

The amendments of the council as amended by the house were then concurred in.

On motion of Mr. Platt,

The house adjourned.

MONDAY, January 29, 1844.

Ordered, that the reading of the journal be dispensed with.

A message from the governor, by his private secretary, Mr. Charles Doty:

"Mr. Speaker: I am directed by the governor to deliver to the house of representatives a message in writing."

Which the speaker laid before the house, and is as follows:

"*To the House of Representatives:*

The bill entitled 'An act to repeal the several acts appointing a treasurer and auditor, and for other purposes,' I return with the following objections:

It repeals all laws providing for the levying and collecting a territorial revenue; it therefore leaves the public debt without any provision for its payment. This is practical repudiation.

It creates a 'civil office,' and *appoints* an individual to perform its duties, and receive fees for his services.

This is a violation of the 7th section of the act of congress to establish this territorial government, which confers the power upon the governor and council to appoint all civil officers not provided for in the said act,

J. D. DOTY.

Executive Department,
Wisconsin, Madison, January 29, 1844."

On motion of Mr. Platt,

A call of the house was made, and Messrs. Agry, Elmore, and Manahan reported to be absent.

On motion of Mr. Hunkins,

Ordered, that Mr. Elmore be excused from further attendance in the house for the remainder of the session.

The sergeant-at-arms was then sent to notify Messrs. Agry, and Manahan that their attendance was desired in the house.

Messrs. Agry and Manahan having appeared in their seats,

On motion of Mr. Meeker,

Further proceedings in the call of the house were dispensed with.

The bill entitled "An act to repeal the several acts appointing a treasurer and auditor, and for other purposes," having been returned by the governor without his signature, and with his objections thereto,

The question was then put: "Will the house, on reconsideration, pass the said bill?"

And it passed in the negative,

(Two-thirds of the members not voting in the affirmative.)

And the ayes and noes were taken, and were as follows:

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Ellis, Grant, Manahan, Masters, Meeker, and Walker (speaker)—8.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Darling, Hicks, Hopkins, Hunkins, Long, Messersmith, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, and Trowbridge—17.

A message from the council, by their secretary:

"Mr. Speaker: The council have receded from their amendments to

No. 40, (H.) 'A bill to provide for the payment of the expenses of the legislative assembly therein mentioned;'

In the item of thirteen dollars and fifty cents to W. W. Wyman for papers furnished the executive office;

And have concurred in the amendment of this house thereto, appropriating to J. W. Trowbridge five dollars.

The council have passed

No. 2, (H.) 'A bill relating to real actions, and for other purposes,'

With amendments, in which I am directed to ask the concurrence of this house."

Mr. Parsons, by leave, presented the petition of H. Miller and other inhabitants of the county of Milwaukee, praying for the incorporation of a turnpike company, to be called the "Milwaukee and Fox River Turnpike Company;"

Which was read and laid on the table.

On motion of Mr. Platt,

Ordered, that the undermentioned resolution be taken up for consideration, to wit:

No. 9, (H.) "Resolution concerning the settlement of the account therein named."

Mr. Price moved to amend said resolution by striking out all after the word "that," and inserting the following as a substitute: "the sum of two hundred dollars, due from Moses M. Strong, late fiscal agent to the territory, in consequence of an error in the settlement of his accounts, made by a committee of the house of representatives in January, 1840, together with the sum of forty-two dollars, being three years interest on said sum, amounting in all to the sum of two hundred and forty-two dollars, shall be deducted from the amount to be allowed said Strong on his account against the territory for professionl services; and said deduction when made, shall be a final discharge of the indebtedness of said Strong as fiscal agent."

Pending the question on the adoption of said amendment,

Mr. Ellis moved that said resolutien and amendment do lie on table;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Bartlett, Birchard, Capron, Darling, Ellis, Grant, Hopkins, Hunkins, Messersmith, Palmer, and Parsons—11.

Those who voted in the negative were,

Messrs. Agry, Crossman, Hicks, Long, Manahan, Masters, Meeker, Olin, Platt, Price, Thompson, Trowbridge, and Walker (speaker)—13.

Mr. Hopkins moved that said resolution and amendment be indefinitely postponed;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Capron, Darling, Ellis, Hopkins, Messersmith, Palmer, Parsons, Platt, and Tripp—11.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Crossman, Grant, Hicks, Long, Manahan, Masters, Meeker, Olin, Price, Thompson, Trowbridge, and Walker (speaker)—14.

Mr. Hopkins moved to amend said resolution by striking out all after the word "services;"

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Hopkins,

Mr. Hopkins voted in the affirmative.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Long, Manahan, Masters, Messersmith, Meeker, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, Trowbridge, and Walker (speaker)—24.

Mr. Ellis then moved that said resolution and amendment do lie on the table;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Ellis,

Those who voted in the affirmative, were

Messrs. Bartlett, Capron, Ellis, Messersmith, Palmer, Parsons, Thompson, and Tripp—8.

Those who voted in the negative, were

Messrs. Agry, Birchard, Crossman, Darling, Grant, Hicks, Hopkins, Hunkins, Long, Manahan, Masters, Meeker, Olin, Platt, Price, Trowbridge, and Walker (speaker)—17.

The question was then put on adopting the amendment proposed by Mr. Price;

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Agry, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Parsons, Price, Tripp, Trowbridge, and Walker (speaker)—16.

Those who voted in the negative were,

Messrs. Bartlett, Capron, Hicks, Hopkins, Messersmith, Olin, Palmer, Platt, and Thompson—9.

The resolution as amended was then adopted, and the title thereof agreed to.

A message from the council by their secretary:

"Mr. Speaker: The council have reconsidered their vote by which they concurred in the first amendment of this house to bill

No. 24, (C.) 'A bill to amend an act entitled an act concerning justices of the peace, and for other purposes,'

And have concurred in said first amendment of this house, with an amendment, in which I am directed to ask the concurrence of this house;

And have also insisted on their amendment to

No. 43, (H.) 'A bill to provide for the leasing of school sections,'

And have appointed Messrs. Rountree and Crocker a committee of conference to which it is proposed to refer the disagreeing vote of the two houses thereon.

And have insisted on its disagreement to the amendment of this house to

No. 46, (C.) 'A bill making appropriations out of the territorial treasury for the payment of certain debts therein named.'

And have concurred in the following bill of this house, to wit:

No. 52, (H.) 'A bill to enable school districts to raise taxes.'"

The said message from the council was taken up,

And the amendments made by the council to bill No. 2, (H.) "A bill relating to real actions, and for other purposes," were read and concurred in.

And the ayes and noes having been called for by Mr. Platt upon said question,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Grant, Hicks, Hopkins, Hunkins, Manahan, Masters, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge and Walker (speaker)—18.

Those who voted in the negative were,

Messrs. Ellis, Messersmith, Palmer, Platt, and Price—5.

And the council having insisted on their non-concurrence to the amendment made by the house appropriating to M. M. Jackson, attorney general, $550 00, in bill

No. 46, (C.) "A bill making appropriations out of the territorial treasury for the payment of certain debts therein named;"

On motion of Mr. Hunkins,

Ordered, that leave be given to M. M. Jackson to withdraw his said account.

On motion of Mr. Messersmith,

Ordered, that leave be granted to him to withdraw from the files of the house the petition of Charlotte E. Coghlin for a divorce.

The amendments made by the council to bill

No. 24, (C.) "A bill to amend an act entitled an act concerning justices of the peace, and for other purposes,"

Were read and concurred in,

And the ayes and noes being called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Capron, Crossman, Darling, Ellis, Grant, Hicks, Hunkins, Manahan, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r.)—16.

Those who voted in the negative, were

Messrs. Masters, Messersmith, Meeker, Palmer, Platt, and Price—6.

Mr. Hicks gave notice that he should, on to morrow, move for a reconsideration of the vote by which the house concurred in the amendment of the council to said bill No. 24, (C.)

The undermentioned bills were severally taken up and re-committed to the committee of the whole house, to wit:

On motion of Mr. Crossman,

No. 15, (H.) "A bill for an act for the preservation of timber upon rivers and streams;"

On motion of Mr. Hicks,

No. 44, (H.) "A bill to provide for the settlement of the indebtedness of the territory."

Thereupon, the house resolved itself into the committee of the whole house for the consideration of the aforesaid bills,

Mr. Capron in the chair:

And after some time spent therein, the committee rose, and reported said bills to the house with amendments to each.

Bill No. 15 was then ordered to the third reading, read the third time, passed, and the title amended and agreed to, the 16th rule of the house having been suspended for that purpose.

On the passage of said bill the ayes and noes were called for by Mr. Thompson,

And those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Hopkins, Long, Manahan, Messersmith, Meeker, Palmer, Parsons, Platt, Tripp, Trowbridge, and Walker (spk'r.)—18.

Those who voted in the negative, were

Messrs. Grant, Hicks, Olin, Price and Thompson—5.

On the question of amending the title to said bill,

On motion of Mr. Crossman,

Ordered, that the same do read, "A bill to authorize James Parrington to build and maintain a main boom across the St. Croix river."

Mr. Long, from the committee on enrolled bills, reported the following, to wit:

No. 40, (H.) "A bill to provide for the payment of the expenses of the legislative assembly therein mentioned;"

Which was signed by the speaker.

On motion of Mr. Agry,

The house adjourned until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

Mr. Hopkins, from the committee of conference on the disagreement of the two houses, on

Bill No. 43, (H.) "A bill to provide for the leasing of school sections,"

Reported that they could not agree upon a report, and moved that the committee be discharged from the further consideration of the subject;

Which was agreed to.

Mr. Agry, from the committee on the judiciary, to which was referred the accounts of Moses M. Strong, for professional services in certain territorial suits, together with sundry resolutions on the subject, by leave reported that the committee could not agree upon a report, and moved that the report be accepted and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Capron, from the minority of the same committee, by leave, made a report. [See Appendix.]

Mr. Hopkins moved that the report be accepted and the committee discharged from the further consideration of the subject;

Which was agreed to.

Mr. Price moved that the reports of the majority and minority of the judiciary committee be laid on the table.

And the question being put thereon,

And passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Ellis, Grant, Hicks, Long, Masters, Meeker, Olin, Parsons, Price, Trowbridge and Walker (speaker)—15.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Hopkins, Messersmith, Palmer, Platt, Thompson and Tripp—9.

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled, the following, to wit:

No. 2, (H.) "A bill relating to real actions, and for other purposes;"

No. 46, (C.) "A bill making appropriations out of the territorial treasury for the payment of certain debts therein named;"

No. 24, (C.) "A bill to amend an act entitled an act concerning justices of the peace, and for other purposes;"

No. 52, (H.) "A bill to enable school districts to raise taxes;"

Which were signed by the speaker.

Pending the question on ordering to be engrossed,

Bill No. 44, (H.) "A bill to provide for the payment of the indebtedness of the territory,"

Mr. Birchard moved that said bill do now lie on the table;

Which was disagreed to.

The said bill was then ordered to be engrossed for the third reading.

Mr. Platt moved that so much of the 16th rule of the house prohibiting bills from being read the second and third times on the same day, be suspended in reference to said bill.

And pending the question thereon,

Mr. Darling moved the said bill do lie on the table.

And the question was put, and passed in the affirmative;

And the ayes and nays having been called for by Mr. Hicks,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Masters, Meeker, Olin, Parsons, Trowbridge, and Walker (spk'r.)—15.

Those who voted in the negative, were

Messrs. Capron, Hicks, Hopkins, Messersmith, Palmer, Platt, Price, Thompson and Tripp—9.

On motion of Mr. Hunkins,

Leave was granted to him to withdraw two certificates of A. P. Field for interest on bonds which had been disallowed by the legislature.

On motion of Mr. Bartlett,

Leave was granted to him to withdraw a petition and certain affidavits relative to an application of Webster Pease for a divorce.

On motion of Mr. Meeker,

Leave was granted to George Beatty to withdraw his account which had been disallowed by the legislative assembly for interest on bonds.

Mr. Thompson asked leave to withdraw from the files, a petition and remonstrance relating to the right of foreigners to vote.

And the question being put,

It passed in the negative.

A message from the council by their secretary:

"Mr. Speaker: The council have indefinitely postponed No. 45, of this house, entitled

'A bill to erect the towns of Jackson and Palmyra;'

And have passed the following, in which I am directed to ask the concurrence of this house, to wit:

No. 25, (C.) 'Resolution appointiug an agent to present certain claims at the treasury department for settlement, and for other purposes;'

And have negatived

Resolution No. 9, (of this house,) entitled 'Resolution concerning the settlement of the account therein mentioned.'"

Mr. Trowbridge moved for leave to withdraw from the files, a petition relating to a division of the town of Burlington;

Which was disagreed to.

The message from the council was taken up, when

No. 25, (C.) "Resolution appointing an agent to present certain claims at the treasury department for settlement, and for other purposes," was read the first and second time.

Mr. Capron moved that the house do now adjourn;

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative, were

Messrs. Capron, Messersmith, Palmer, Platt, Price and Thompson—6.

Those who voted in the negative were,

Messrs. Bartlett, Birchard, Crossman, Darling, Ellis, Grant, Hicks, Hopkins, Hunkins, Masters, Meeker, Olin, Parsons, Tripp, Trowbridge, and Walker (speaker)—16.

Mr. Long, from the committee on enrolled bills, reported that they had on this day presented to the governor, for his approval,

"An act to provide for the payment of the expenses of the legislative assembly therein mentioned;"

"An act to enable school districts to raise taxes;"

"An act relating to real actions, and for other purposes;"

"An act making appropriations out of the territorial treasury, for the payment of certain debts therein named;" and

"An act to amend an act entitled 'an act concerning justices of the peace,' and for other purposes."

On motion of Mr. Darling,

The house adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

On motion of Mr. Agry,

Ordered, that the undermentioned bill be taken up and referred to the committee of the whole house, to wit:

No. 20, (C.) "A bill to repeal an act to establish the university of Wisconsin."

Thereupon the house resolved itself into the committee of the whole house for the consideration of said bill,

Mr. Thompson in the chair:

And after a short time spent therein, the committee rose and reported said bill to the house without amendment;

When Mr. Thompson moved that said bill be indefinitely postponed,

And the question being put,

It passed in the affirmative.

A message from the council by their secretary:

"Mr. Speaker: The council have negatived

No. 15, (H.) 'A bill to authorize James Parrington to build and maintain a main boom across the St. Croix river;'

And have passed the following, in which I am directed to ask the concurrence of the house, to wit:

No. 58, (C.) 'A bill to organize the county of Portage for judicial purposes;'

No. 19, (G.) 'Joint resolution relative to university lands;' and

No. 26, (C.) 'Resolution to settle the accounts of John S. Littel."

Mr. Darling moved that the undermentioned resolutions be taken up for consideration, to wit:

No. 25, (C.) "Resolutions appointing an agent to present certain claims at the treasury department for settlement, and for other purpose;"

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Grant, Hopkins, Masters, Meeker, Olin, Parsons, Platt, Tripp, Trowbridge, and Walker (spk'r.)—17.

Those who voted in the negative, were,

Messrs. Palmer and Thompson—2.

Mr. Capron moved that the house resolve itself into the committee of the whole house for the consideration of said resolutions No. 25; when,

On motion of Mr. Hopkins,

A call of the house was made.

Messrs. Price, Long, and Manahan were reported to be absent.

On motion of Mr. Hopkins,

Ordered, that Mr. Manahan be excused from attendance in the house.

The sergeant-at-arms was sent to notify Messrs. Price and Long that their attendance was desired in the house.

On motion of Mr. Platt,

Further proceedings in the call of the house were dispensed with.

The question was then put on going into the committee of the whole house on said resolutions No. 25,

And it passed in the affirmative.

Thereupon the house resolved into the committee of the whole house for the consideration of said resolutions,

Mr. Olin in the chair.

After a short time spent therein, the committee rose and reported said resolutions to the house without amendment.

Mr. Platt moved to amend said resolutions, by striking out the name of "Charles M. Baker," and inserting in lieu thereof the name of "J. D. Weston;"

And the question being put thereon,

It passed in the negative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Hicks, Palmer, and Platt—3.

Those who voted in the negative, were

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Grant, Hopkins, Hunkins, Masters, Messersmith, Meeker, Olin, Parsons, Thompson, Tripp, Trowbridge, and Walker (spk'r)—19.

The question was then put on ordering said resolutions to the third reading,

And it passed in the affirmative;

And the ayes and noes having been called for by Mr. Hunkins,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Masters, Meeker, Olin, Parsons, Trowbridge and Walker (speaker)—13.

Those who voted in the negative were,

Messrs. Capron, Hicks, Hopkins, Messersmith, Palmer, Platt, Price, Thompson and Tripp—10.

The message from the council was taken up; when

The undermentioned bill was read the first and second time, and the following resolution was read and adopted, to wit:

No. 10, (C.) "Joint resolution relative to the university lands;"

No. 58, (C.) "A bill to organize the county of Portage for judicial purposes."

Mr. Darling moved that the house go into the committee of the whole house for the consideration of said bill No. 58.

And the question being put thereon,

It passed in the negative;

A division being called for,

There were ayes 10, noes 10.

Mr. Capron moved that the house do now adjourn,

Which was disagreed to.

On motion of Mr. Darling,

The house resolved itself into the committee of the whole house for the consideration of bill

No. 58, (C.) "A bill to organize the county of Portage for judicial purposes,"

Mr. Thompson in the chair:

And after some time spent therein the committee reported that they had made some progress in said bill, and desired leave to sit again for the further consideration thereof.

Pending the question on granting leave,

Mr. Darling moved that the committee of the whole be discharged from the further consideration of said bill;

And the question being put thereon,

And it passed in the affirmative.

A division being called, there were ayes 10, noes 9.

Mr. Hunkins moved to amend the 4th section of said bill, by striking out "1844" and inserting in lieu thereof "1846;"

When Mr. Agry moved that the house do now adjourn;

And the question being put thereon,

It passed in the affirmative;

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative, were

Messrs. Agry, Capron, Crossman, Grant, Hicks, Hopkins, Long, Masters, Platt, Price, Thompson, Tripp and Trowbridge—13.

Those who voted in the negative, were

Messrs. Birchard, Darling, Ellis, Hunkins, Meeker, Parsons, and Walker (speaker)—7.

So the house adjourned.

TUESDAY, January 30, 1844.

The undermentioned resolution was read and adopted, to wit:

No. 26, (C.) "Resolution to settle the account of John S. Littel."

Mr. Agry, from the committee on the judiciary, to which was referred the petition of sundry citizens of the county of Milwaukee, praying that colored citizens may exercise the right of suffrage, by leave, reported that in their opinion it is not expedient to legislate on the subject; and moved that the report be accepted and the committee discharged from the further consideration of the subject.

And the question being put thereon,

It passed in the affirmative.

Bills, &c., on their third reading being announced by the speaker,

The undermentioned resolution was read the third time, viz:

No. 30, (C.) "Resolution appointing an agent to present certain claims at the treasury department for settlement, and for other purposes."

On motion of Mr. Platt,

A call of the house was then made;

When Messrs. Hicks and Tripp were reported to be absent.

The sergeant-at-arms was sent to notify Messrs. Hicks and Tripp that their attendance was desired in the house.

The absentees having appeared in their seats,

On motion of Mr. Hunkins,

Further proceedings in the call of the house were dispensed with.

Mr. Crossman moved the previous question;

And the question being put in these words:

"Shall the main question be now put?"

It passed in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Darling, Grant, Hopkins, Hunkins, Long, Messersmith, Meeker, Olin, Parsons, Price, Trowbridge and Walker (speaker)—18.

Those who voted in the negative were,

Messrs. Ellis, Hicks, Palmer, Platt, Thompson and Tripp—6.

The main question was then put—being the passage of said resolutions;

And it passed in the affirmative.

And the ayes and noes having been called for by Mr. Platt,

Those who voted in the affirmative were,

Messrs. Birchard, Crossman, Darling, Ellis, Grant, Hunkins, Long, Manahan, Masters, Meeker, Olin, Parsons, Trowbridge, and Walker (speaker)—14.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Capron, Hicks, Hopkins, Messersmith, Palmer, Platt, Price, Thompson and Tripp—11.

The title to said resolution was then agreed to.

Mr. Crossman, from the committee on engrossed bills, reported as correctly engrossed the following, to wit:

No. 44, (H.) "A bill to provide for the indebtedness of the territory;"

When said bill was read the third time;

And pending the question on the passage thereof,

On motion of Mr. Hicks,

A call of the house was made;

When the sergeant-at-arms was sent to notify Messrs. Masters, Messersmith and Olin that their attendance was desired in the house.

Several of the absentees having appeared in their seats,

On motion of Mr. Price,

Further proceedings in the call of the house were dispensed with.

The question was then put on the passage of said bill, and determined in the affirmative.

The title thereof was then agreed to.

On the passage of said bill,

The ayes and noes were called for by Mr. Hicks,

And those who voted in the affirmative were,

Messrs. Capron, Darling, Hicks, Hopkins, Hunkins, Manahan, Masters, Meeker, Olin, Palmer, Parsons, Platt, Price, Thompson, Tripp, Trowbridge, and Walker (speaker)—17.

Those who voted in the negative were,

Messrs. Agry, Bartlett, Birchard, Crossman, Ellis, Grant, and Long—7.

The unfinished business of yesterday was taken up;

When bill No. 58, (C.) "A bill to organize the county of Portage for judicial purposes,"

Was taken up for consideration.

Mr. Agry moved that said bill be indefinitely postponed; when Mr. Hunkins renewed his motion to amend said bill by striking

out the figure "4," and inserting "6" in lieu thereof, in the 4th section;

Which latter motion having preference, was first put, and passed in, the affirmative.

Mr. Ellis moved to further amend said bill by striking out the word "Wisconsin" and inserting in lieu thereof the word "Winnebago" before "Portage," in the 3d section thereof;

Which was agreed to.

Mr. Agry then renewed his motion to postpone said bill indefinitely.

And the question being put thereon,

It passed in the negative;

And the ayes and noes having been called for by Mr. Darling,

Those who voted in the affirmative, were

Messrs. Agry, Grant, Long, Price, and Thompson—5.

Those who voted in the negative, were

Messrs. Bartlett, Birchard, Capron, Crossman, Darling, Ellis, Hicks, Hopkins, Hunkins, Manahan, Masters, Messersmith, Meeker, Olin, Parsons, Platt, Tripp, Trowbridge and Walker (speaker)—19.

Mr. Agry then moved to amend said bill by adding a new section, providing for the location of the seat of justice in said county to be determined by the votes of the inhabitants thereof.

And the question being put thereon,

It passed in the affirmative.

And the ayes and noes having been called for by Mr. Agry,

Those who voted in the affirmative were,

Messrs. Agry, Bartlett, Birchard, Capron, Crossman, Ellis, Grant, Hicks, Hopkins, Long, Manahan, Masters, Olin, Parsons, Platt, Price, Thompson and Tripp—18.

Those who voted in the negative were,

Messrs. Darling, Hunkins, Messersmith, Meeker, Palmer, Trowbridge, and Walker (speaker)—7.

On motion of Mr. Agry,

Ordered, that said bill be further amended, by striking out the the third section thereof.

The bill was then ordered to the third reading, and was read the third time, passed, and the title thereof agreed to; the 16th rule of the house having been suspended for that purpose.

On the passage of said bill,

The ayes and noes were called for by Mr. Hopkins,

And those who voted in the affirmative were,

Messrs. Bartlett, Birchard, Capron, Darling, Hicks, Hopkins, Hunkins, Manahan, Masters, Messersmith, Olin, Palmer, Parsons, Platt, Thompson, Tripp and Trowbridge—17.

Those who voted in the negative were,

Messrs. Agry, Crossman, Grant, Meeker, Price and Walker (speaker)—6.

Mr. Long, from the committee on enrolment, reported as correctly enrolled, the following, to wit:

No. 30, (C.) "Resolutions appointing an agent to present certain claims at the treasury department, and for other purposes;"

Which was signed by the speaker.

On motion of Mr. Crossman,

The house adjourned until three o'clock. P. M.

THREE O'CLOCK, P. M.

A message from the governor by his private secretary, Mr. Charles Doty:

"Mr. Speaker: I am directed to deliver to the house of representatives, two messages in writing."

The speaker laid before the house the aforesaid messages of the governor; one of which notified the house that he had on this day approved and deposited in the office of the secretary of the territory, the following, to wit:

"An act to enable school districts to raise taxes;" and

"An act relating to real actions, and for other purposes."

The other message reads as follows:

"*To the House of Representatives:*

The bill entitled 'an act to provide for the payment of the expenses of the legislative assembly therein mentioned,' is herewith returned without my signature.

My objections to it are that all the items of appropriation are not within the estimates of the secretary of the treasury for the expenses of the assembly for the fiscal year ending the 30th June,

1844, and for objects which have been approved by congress; and are therefore forbidden by the act of congress, of August 29, 1842.

I object to the provision for the publication of the laws by the clerks of the houses, as an improper provision to be inserted in the appropriation act.

I object to the allowance of extra compensation to the following members, for the performance of duties required of them as members of the assembly, to wit: David Newland, Mason C. Darling and Moses M. Strong; and to John Catlin and Ben C. Eastman, clerks, for preparing the journals of the council and house for publication.

The estimate for printing was 'for the house, council and executive department.' This bill contains no provision for the printing which has been done for the executive department; and it allows a higher rate for the printing for the house and council than the rate for which competent and responsible men offered and were prepared to execute the work. I therefore object to the sums which are allowed to John P. Sheldon and George Hyer, amounting to two thousand six hundred and fifteen dollars and fifty-five cents; and to W.W. Wyman, five hundred and twenty-eight dollars and eighty-seven cents, being one-third more than the sums for which the work could have been obtained.

The second section is wholly unauthorized by the act of congress.

The several items to which I object, amount to five thousand and three dollars and twenty-one cents. They are,

1st. To William W. Wyman, printing journals of 1842 and 1843.

2nd. To Sheldon & Hyer, the same.

3rd. To Sheldon & Hyer, for printing the laws passed at sessions in 1842, '3. I object to the preceding items, also, because they were not authorized by any competent authority to perform the work. No law or joint resolution was submitted to the governor, or passed with his disapproval, empowering or authorizing those persons to print the laws and journals.

4th. To Sheldon & Hyer for printing a report of a committee in 1843, &c.

5th. To David Newland, extra compensation. In a previous clause, extra compensation is allowed to Mr. Strong for the whole of the session.

6th. To John Y. Smith, salary as superintendent. No estimate has been made, or appropriation by congress, for this salary, nor has he been appointed to this office according to law.

7th. To John Catlin, for postage.

8th. The appropriation for fuel, lights and stationery, exceeds the estimates.

9th. To John Catlin and Ben C. Eastman, for preparing the journals for publication, and authorizing them to publish the laws. These are duties which properly devolve on the secretary of the territory.

10th. To Mason C. Darling, extra compensation as speaker.—A previous appropriation is made to Mr. Walker for the session.

11th. To John Y. Smith, 'for hire of assistant librarian.' There is no law or other authority for this charge.

12th. To Sheldon & Hyer, for incidental printing and newspapers. They were employed under a resolution which was not passed by the legislature of the territory, and they knew their authority was defective. They are allowed a higher rate than they are entitled to receive; lower rates having been offered.

13th. To Mason C. Darling 'for services as one of a committee.' A member is not permitted by law to receive extra pay for extra services, as a member. If he did not perform them as a member, he must as *an officer;* and being a member, he could not be appointed to an office created during his legislative term.

14th. To Moses M. Strong, for assisting Mason C. Darling as one of a committee. The same as the preceding objection, with the exception that he was not appointed by the legislature a member of the committee, but was appointed by Mr. Darling.

After carefully considering these several items, and testing their correctness and legality by the provisions of the organic law and the subsequent acts of congress, as well as by the estimates of the secretary of the treasury, I am constrained, under the oath I have taken to obey the laws, and by a sense of duty alike to the people of the territory and to the general government, to withhold my approval of this bill.

J. D. DOTY.

Executive Department, Wisconsin,
Madison, January 30, 1844."

Pending the question on the reconsideration and passage of said bill,

Mr. Hicks moved that said bill and the message relating thereto do lie on the table;

Which was disagreed to.

The question was then put, "Will the house, on reconsideration, approve said bill?"

And it passed in the affirmative.

Those who voted in the affirmative, were

Messrs. Agry, Bartlett, Darling, Ellis, Grant, Hunkins, Long, Manahan, Messersmith, Meeker, Olin, Parsons, Platt, Price, Thompson, Trowbridge, and Walker (spk'r.)—17.

Those who voted in the negative, were

Messrs. Capron, Hicks, Hopkins, and Tripp—4.

A message from the council, by their secretary:

"Mr. Speaker: The council have concurred in the amendments of this house to bill

No. 58, (C.) 'A bill to organize the county of Portage;' and in

No. 44, (H.) 'A bill to provide for the settlement of the indebtedness of the territory,'

With amendments, in which I am directed to ask the concurrence of this house."

The message from the council was taken up,

When the amendments to bill No. 44, (H) "A bill to provide for the settlement of the indebtedness of the territory," made by the council, were read, and concurred in by the house, with an amendment.

A message from the council, by their secretary:

"Mr. Speaker: The council have, on reconsideration, passed the bill entitled 'An act to provide for the payment of the expenses of the legislative assembly therein mentioned;' seven members having voted for, and none against the bill. Which bill and message are herewith returned to this house, in which said bill originated.

And have concurred in the amendments of this house to No. 44, (H.) 'A bill to provide for the settlement of the indebtedness of the territory.'"

Mr. Hunkins, by leave, introduced the following resolution, which was adopted, to wit:

"*Resolved*, by the council and house of representatives, that the superintendent of territorial property be directed to deliver, upon the order of any member of either house, a copy of the laws

and journals of the present session, when they shall be prepared for distribution."

On motion of Mr. Tripp,

The house adjourned until half past 6 o'clock, P. M.

HALF-PAST SIX O'CLOCK, P. M.

Mr. Long, from the committee on enrolled bills, reported as correctly enrolled, the undermentioned bills, which were signed by the speaker, to wit:

No. 58, (C.) "A bill to organize the county of Portage for judicial purposes;"

No. 44, (H.) "A bill to ascertain the indebtedness, and the taxable property of the territory."

Mr. Platt, by leave, introduced the undermentioned resolution, which was adopted, to wit:

"*Resolved*, That the use of this hall be given to the democratic party, at 8 o'clock this evening, for the purpose of holding a convention."

A message from the council, by their secretary:

"Mr. Speaker: The council have concurred in the following resolution, to wit:

'Resolution concerning thirty-nine copies of the laws and journals of the present session.'"

On motion of Mr. Palmer,

The house adjourned until 6 o'clock, to-morrow morning.

WEDNESDAY, January 31, 1844.

Mr. Long, from the committee on enrolled bills, made the following report:

The committee on enrolment report, that they did on yesterday present to the governor for his approval:

"Resolution appointing an agent to present certain claims at the treasury department, and for other purposes;"

"An act to organize the county of Portage for judicial purposes;"

"An act to ascertain the indebtedness and the taxable property of the territory."

A call of the house was then made, and Messrs. Agry, Bartlett, Manahan, Messersmith, Palmer and Price reported to be absent.

On motion, it was

Ordered, that further proceedings in the said call be dispensed with.

A message from the council by their secretary, to wit:

" Mr. Speaker: The governor has notified the council that he has approved and deposited in the office of the secretary of the territory:

'An act making appropriations out of the territorial treasury for the payment of certain debts therein named;'

'An act to amend an act entitled an act concerning justices of the peace, and for other purposes.'

The council have passed a resolution entitled 'Resolution directing publication of certain laws;' in which the concurrence of this house is requested.

The council have appointed Messrs. Crocker and Rountree a committee on the part of the council, to act in conjunction with a similar committee to be appointed on the part of the house, to wait on his excellency, and inform him that the two houses have completed the business before them, and are now ready to adjourn, and request the appointment of a similar committee on the part of this house."

Messrs. Ellis and were appointed of the joint committee to inform his excellency that the two houses were now ready to adjourn, &c.

The house took up the following resolution, contained in the foregoing message, to wit:

"*Resolved*, by the council and house of representatives, that the secretary of the council and clerk of the house of representatives, in preparing the laws of the present session for publication, be directed to include all acts which appear by the report of the enrolling committee to have been presented to the governor on or before Saturday, the 27th day of January, 1844, and not returned by Wednesday, the 31st day of January, 1844;"

Which was read and adopted.

And the ayes and noes having been called for on the adoption of said resolution,

Those who voted in the affirmative were,

Messrs. Birchard, Darling, Ellis, Grant, Hunkins, Long, Meeker, Olin, Parsons, Trowbridge, and Walker (speaker)—11.

Those who voted in the negative were,

Messrs. Capron, Hicks, Hopkins, Platt, Thompson and Tripp —6.

Mr. Platt offered the following resolution, (Mr. Darling having taken the chair,) to wit:

"*Resolved*, That the thanks of this house are due to the hon. George H. Walker for the able and impartial manner in which he has discharged the duties of the office of speaker."

And the question being put upon the passage of said resolution,

It was unanimously decided in the affirmative.

Mr. Ellis, from the joint committee appointed to wait upon the governor, &c., reported that the committee had discharged the duty assigned them, and that they were informed by his excellency that he had no further communication to make to the two houses.

On motion of Mr. Ellis,

"*Resolved*, That the chief clerk of this house inform the hon. the council that the house of representatives has concluded its business, and is now ready to adjourn *sine die*.

A message from the council by their secretary.

"Mr. Speaker: I am directed to inform this house that the council have now completed the business before them, and are ready to adjourn *sine die*."

Mr. Hunkins moved that the house do now adjourn;

And the question being put,

It passed in the affirmative; when

The speaker rose and addressed the house as follows:

Gentlemen: Our legislative duties are now about to close. But before I pronounce this house adjourned for the last time, allow me to make a few remarks:

When, at the commencement of this session, your partiality called me to the chair, I felt its responsibilities, and doubted my ability, from want of experience, properly to discharge its duties,

and to preside over your deliberations—but felt confident that you would extend to me that indulgence and support which honesty and purity of intention will ever command.

I know that I have often erred, but never intentionally—they were errors of the head, not the heart—and from the very flattering resolution which you have just adopted, I feel assured that I am at least exonerated from any wilful dereliction of duty.

We have endeavored, while acting in our legislative capacity, to pass such laws as would suit the varied interests of our rising territory. Whether those laws are such as are required, time alone will determine; but I hope that our constituents will at least be satisfied that we have done all we could for them, situated as we now are.

As is usual in all deliberative bodies, differences of opinion have unavoidably arisen, out of which hard feelings and heart-burnings may for the time have been engendered; but I sincerely hope that when we leave this capitol, we shall also bury all such feelings, and part with those better sentiments of friendship which ennoble and dignify human nature. May we act the part of good christians—forgive as we would be forgiven—and may your constituents, as well as mine, act with the same spirit, and receive us with "well done, good and faithful servants."

Let me, in conclusion, assure you, gentlemen, that the honor conferred on me by your partiality, will ever be remembered by me as the proudest distinction of my life; and if I have secured your approbation, my cup is full to overflowing.

May you have a safe and speedy return to your friends and families; and may the blessings of heaven rest on you and them, both here and hereafter.

I now pronounce this house adjourned *without day.*